
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 29-Jul-2020

Subject: Planning Application 2019/93237 Erection of stable block Springfield Farm, 15, Moorside, Cleckheaton, BD19 6JH

APPLICANT

Mr Lodge

DATE VALID

03-Oct-2019

TARGET DATE

28-Nov-2019

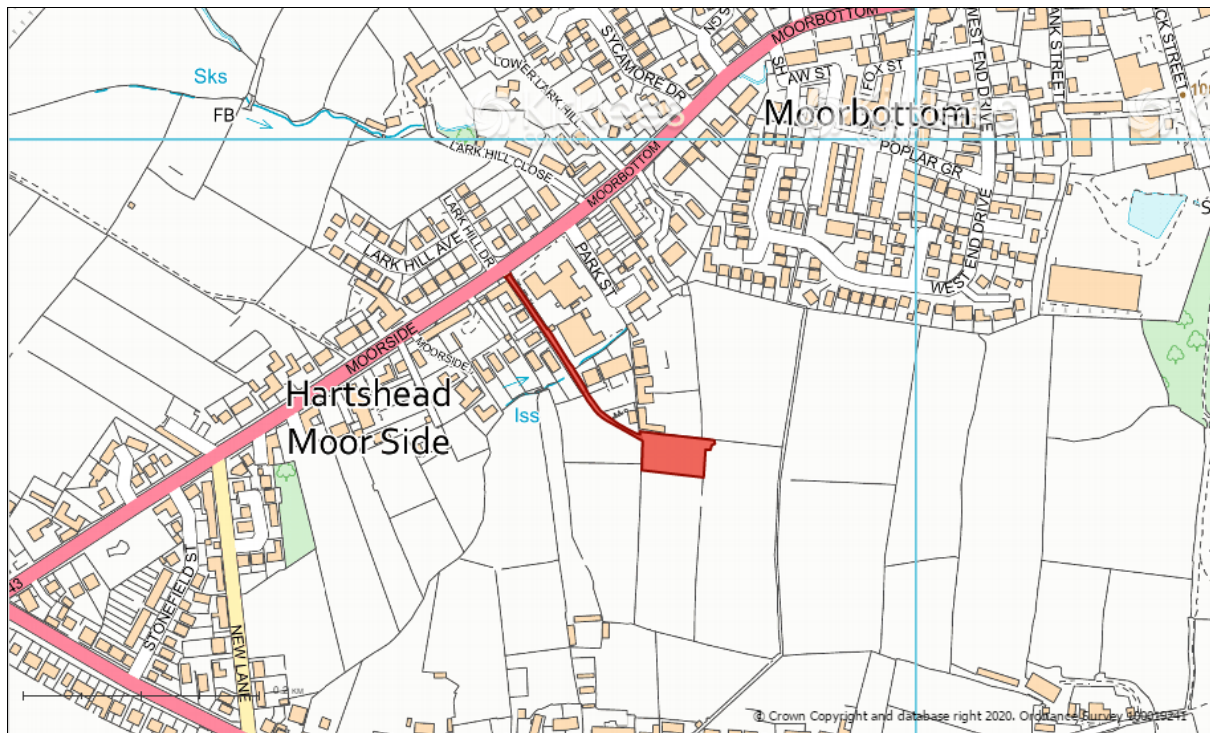
EXTENSION EXPIRY DATE

06-Dec-2019

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<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Cleckheaton

Ward Councillors consulted: No

Public or private: Public

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development to complete the list of conditions including those contained within this report

1.0 INTRODUCTION:

1.1 The application is for the erection of a private stable block on land which is allocated as Urban Green Space within the Kirklees Local Plan. The application is reported to the Strategic Planning Committee as the proposed development would constitute a departure from the Kirklees Local Plan.

2.0 SITE AND SURROUNDINGS:

2.1 The application site is a hard surfaced enclosed area which is located off a surfaced, single width private drive accessed via Moorside, Cleckheaton. To the South of the site is an existing timber store used in connection with the applicant's timber supply business.

2.2 The application site is enclosed with a timber fence and gabion baskets. The site surrounding the application site to the South and West of the site is open green space which appears to be in use for the keeping of horses.

3.0 PROPOSAL:

3.1 Full planning permission is sought for the erection of a timber frame, L shaped stable block. The stable block would have a length of 29.8m with a width of 9.6m to the West and 4m to the East. The stables would have an eaves height of 2.7m and overall height of 4m of a pitched roof. The stables would also have a timber overhang which would project 1.3m above the entrance to the stables.

3.2 The proposed stable block will comprise of 7 stables, a tack room and a hay barn.

3.3 The proposed stables would be located within the existing service yard for the established timber business on the site within the North Western corner and extend along the Northern boundary. The grazing land surrounding the site is owned by the applicant and the stables would be used in association with this.

4.0 RELEVANT PLANNING HISTORY:

4.1 2019/90142 - Erection of stable block – withdrawn

2018/90403 - Erection of detached dwelling (modified proposal) – Conditional full permission

2017/92760 - Variation of condition 2 (plans) on previous permission 2014/90108 for erection of detached dwelling, change of use and extension of existing dwelling to create children’s day nursery and erection of detached store – Approved

2017/90473 - Erection of detached dwelling – Conditional Full Permission

2014/90108 - Erection of detached dwelling, change of use and extension to existing dwelling to form children’s day nursery and erection of detached store – Conditional Full Permission

2003/95098 - Deemed application via enforcement appeal for erection of field shelter/store and associated surfaced access – Approved

2002/94210 - Erection of field shelter for machinery storage and workroom – Refused

99/90457 - Erection of day care centre – Conditional Full permission

95/90363 - Erection of dog hotel – Refused

5.0 HISTORY OF NEGOTIATIONS:

5.1 The case officer requested further information to be submitted with regards to the access to the site following comments from the K.C Highways Development Management. It was confirmed by the applicant that the use of the stables would be for private use only which is considered to be satisfactory to K.C Highways Development Management.

6.0 PLANNING POLICY:

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

6.2 The site is allocated as Urban Green Space within the Kirklees Local Plan.

6.3 Kirklees Local Plan (KLP):

The following policies are considered relevant:

LP1 – Achieving sustainable development

LP2 – Place Shaping

LP3 – Location of new development

LP21 – Highway Safety and Access

LP22 – Parking

LP24 – Design
LP38 – Minerals safeguarding
LP51– Protection and improvement of local air quality
LP52– Protection and improvement of environmental quality
LP53 – Contaminated and unstable land
LP61 – Urban Green Space

6.4 National Planning Policy Framework (NPPF):

Chapter 2 – Achieving sustainable development
Chapter 8 – Promoting healthy and safe communities
Chapter 11 – Making efficient use of land
Chapter 12 – Achieving well designed places
Chapter 14 – Meeting the challenge of climate change, coastal change and flooding
Chapter 15 – Conserving and enhancing the natural environment
Chapter 17 – Facilitating the sustainable use of minerals

6.5 Supplementary Planning Guidance

- Highways Design Guide Supplementary Planning Document
- Kirklees Local Plan allocations and designations
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application has been advertised in accordance with the Council's adopted Statement of Community Involvement.
- 7.2 As a result of the initial statutory publicity period, no letters of representation have been received by the Local Planning Authority.

8.0 CONSULTATION RESPONSES:

The following is a brief summary of consultee advice (more details are contained within the assessment section of the report, where appropriate):

8.1 **Statutory:**

- K.C Highways Development Management – *No objection*

8.2 **Non-statutory:**

- K.C Environmental Health – *No objection subject to the conditions for the use of the stables as private use only and the submission of details for the storage and collection of waste at the site.*

9.0 MAIN ISSUES

- Principle of development, land use and sustainability
- Visual amenity/local character
- Residential amenity
- Highway issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development, land use and sustainability

- 10.1 The proposal is for the erection of a stable block on an area of hardstanding currently used as a storage yard for an existing tree surgery business. The site is allocated as Urban Greenspace (UGS) (site UGS315) being part of a large area of high quality attractive green space/grassland which has the appearance of countryside and makes an important contribution to the landscape character and appearance. The whole UGS allocation was found to be justified as urban green space by the Local Plan Inspector as part of the Examination in Public.
- 10.2 Local Plan Policy LP61 (Urban Green Space) is therefore applicable to this proposal and protects urban green space from development unless specific exceptions can be met. The policy states that:-
- 10.3 “Development proposals which would result in the loss of urban green space (as identified on the Policies Map) will only be permitted where:-
- a. an assessment shows the open space is clearly no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value; or
 - b. replacement open space, sport or recreation facilities which are equivalent or better in size and quality are provided elsewhere within an easily accessible location for existing and potential new users; or
 - c. the proposal is for an alternative open space, sport or recreation use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing green space.

The protection set out in this policy also applies to smaller valuable green spaces not identified on the Policies Map.”

- 10.4 The council’s open space assessment of the wider site, undertaken as part of the Kirklees Open Space Study (2016), identifies the whole urban green space as having high value as open space and not surplus to requirements. In relation to criteria (b) the development is not proposing replacement open space.
- 10.5 In respect of exception C, whilst this proposal is for an alternative use (stable block) required in connection with the existing horse grazing use on the UGS site. However, there are no identified deficiencies in the provision of natural and semi-natural greenspace (of which land used for horse grazing is included) in the Cleckheaton ward which has 2.86 ha per 1,000 population compared to the benchmark standard of 2.0 ha per 1,000 population.

- 10.6 The existing storage area is already categorised as part of the larger natural and semi-natural greenspace which comprises urban green space allocation UGS315 and its use for stabling associated with horse grazing would therefore mean that there would be no change in the typology of open space.
- 10.7 The proposal should therefore be weighed in terms of the loss of the area of hard standing compared to any visual impacts and other material considerations, including in relation to its use supporting an existing open space use for which the land is allocated as urban green space.
- 10.8 The application site has a current permission for the erection of a timber storage shed on the site. Although this storage building is notably smaller in scale than the proposed stable block, it was considered at the time of the application (2017/92760) that the character and appearance of the land was not typical of land of this nature. The land was not considered to be used for outdoor sport and recreation and when viewing the site, the land was considered to be 'brownfield', having no character worthy of preserving for future outdoor sport and recreation.
- 10.9 The proposed erection of the stable block within this part of the site which has been enclosed and surfaced for some time (evidenced on aerial photos) would not be considered to be of detriment to the visual amenity and character of the wider Urban Greenspace or prejudice the use of the wider allocation but will support the use of the wider site for the grazing and keeping of horses. The principle of development is therefore considered acceptable by officers.

Visual amenity

- 10.10 Policy LP24 of the KLP states that good design should be at the core of all proposals. Proposals should incorporate good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape and landscape. This is supported by The National Planning Policy Framework (NPPF) which sets out that, amongst other things, decisions should ensure that developments are sympathetic to local character ...while not preventing or discouraging appropriate innovation or change (para.127 of the NPPF).
- 10.11 The proposed stable block would be of a standard design, constructed of timber with corrugated metal sheet roof and having an L-shaped layout. The low profile nature of the development would have minimal impact on the character of the surrounding area, particularly when viewed in relation to the previously approved timber storage shed, whilst the site is also enclosed by existing gabion walls.
- 10.12 On the basis of the above, the proposals are considered acceptable from a visual amenity perspective and would accord with Policy LP24 of the KLP and guidance contained within Chapter 12 of the NPPF.

Residential Amenity:

- 10.13 Chapter 12 of the National Planning Policy Framework states that planning decisions create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 10.14 There are no residential dwellings within close proximity of the proposed stable block which could be affected as a result of the structure itself with regards to over shadowing or overlooking.
- 10.15 However, it is considered necessary to impose a condition to restrict the use of the stables for private use only by the residents of Springfield Farm, 15 Moorside in order to ensure that the use of the stables does not detract from the level of residential amenity enjoyed by residents of Moorside by increased traffic movements and noise from the site.
- 10.16 The use of the site for the keeping and grazing of horses will generate waste which has the potential to impact on nearby properties through smell and pollution. A condition will therefore be imposed for the submission of a waste management plan which should detail how waste materials associated with the stables will be dealt with so that the odour and flies are effectively controlled and any adverse impacts on private water supplies and water courses are prevented. The operation of the stables would not be permitted until a waste management scheme has been approved in writing by the Local Planning Authority.

Summary:

- 10.17 To conclude, there is no considered impact on the level of residential amenity of neighbouring occupants, subject to the inclusion of the suggested conditions, thus complying with Policies LP24 and LP52 of the Kirklees Local Plan and the aims of Chapters 12 and 15 of the National Planning Policy Framework.

Highway issues:

- 10.18 The application seeks approval for the erection of a stable block which contains 7 no. stables, a tack room and a hay barn. Access to the application site is from A643 Moorside via an existing un-adopted road which also serves Katie's Kinder Care and The Lodge out of school club and residential properties.
- 10.19 The application site is currently used by a Tree Services business, which is also within the ownership of the applicant. The applicant has confirmed that the stables would be for their own private use and not sold or rented out separately. Given the nature of the access and existing uses served by it, it would be necessary to impose a condition, should permission be granted, restricting the use of the stables to that of a private use, in the interests of highway efficiency and safety. This would ensure that the development accords with Policy LP 21 of the KLP.

Other matters:

Climate Change

- 10.20 Chapter 12 of the KLP relates to climate change and states that "Effective spatial planning is an important part of a successful response to climate change as it can influence the delivery of appropriately sited green infrastructure and the emission of greenhouse gases. Planning can also help increase resilience to climate change impact through the location, mix and

design of development". This is also reflected in the NPPF as a core land use planning principle. The NPPF emphasis that responding to climate change is central to economic, social and environmental dimensions of sustainable development. This application has been assessed taking into account the requirements summarised and provides opportunity for development that is considered to meet the dimensions of sustainable development.

Representations

10.21 No representations were submitted throughout the course of public consultation period.

11.0 CONCLUSION

11.1 Taking all material considerations into account, the proposal to erect a stable block land allocated as Urban Greenspace is considered acceptable by officers when taking into account the nature of the site and its wider area. Furthermore, subject to the inclusion of the suggested conditions, the proposals would also be acceptable from a visual and residential amenity perspective as well as highway safety.

11.2 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

11.3 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 Proposed Conditions (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Standard 3 year timeframe for commencement of development
2. Development to be completed in accordance with the submitted plans and specifications
3. The use of the stables restricted to the private use of the residents of Springfield Farm, 15 Moorside only
4. The submission of a waste management scheme

Background Papers:

Link to the application details:-

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019/93237>

Certificate A signed and dated 03.10.2019