
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 03-Nov-2022

Subject: Planning Application 2022/92355 Erection of enclosure of existing ménage Bradshaw Road Stables, Bradshaw Road, Honley, Holmfirth, HD9 6RJ

APPLICANT

Bradshaw Rd Stables &
Riding School

DATE VALID

18-Jul-2022

TARGET DATE

17-Oct-2022

EXTENSION EXPIRY DATE

09-Nov-2022

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Holme Valley North

Ward Councillors consulted: No

Public or private: Public

<p>RECOMMENDATION: REFUSAL</p>

1.0 INTRODUCTION:

1.1 This application is brought before Strategic Committee for determination, under the terms of the Delegation Agreement, since it would constitute Major development on the grounds that the floor space to be created by the proposed new building is 1,000 square metres or more.

2.0 SITE AND SURROUNDINGS:

2.1 The site is located approximately 1.5km to the south-west of Honley village centre of Honley. The surroundings are mainly rural with sporadic residential, agricultural and other development (including equestrian) nearby and on the opposite, south-eastern, side of Bradshaw Road. The land gently rises to the south-west beyond the site boundary. To the north-east, on the opposite side of the track, the land gently falls, and there is an area of deciduous woodland.

2.2 The application site consists of – from north-west to south-east – a ménage measuring some 56m by 28m; a large building providing storage and a customer reception and waiting area; stables and associated buildings built in two C-shaped blocks, extending a further 37m; and area for vehicle parking.

2.3 The site is in use as a riding school and livery stables.

2.4 A gravel-surfaced track (a private way only) provides the vehicular access to the adopted highway.

3.0 PROPOSAL:

3.1 The proposal is for the erection of a building to enclose the existing ménage. It would be of steel-framed portal construction with Yorkshire boarding to the north-western and south-western elevations and green box-profile steel cladding to the other elevations.

3.2 It would measure 60m by 30m. It would be 4.65m to the eaves and 7.6m to the top of the ridge of the shallow-pitched roof.

3.3 The purpose of the proposed development is to enable the ménage to be more fully used. The intention is that by providing a sheltered environment, it could be used in windy conditions and in the winter, when the ground is often waterlogged.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

- 4.1 2006/93716 – Erection of 6 stables and formation of ménage. Approved
2006/92457 – Erection of stables for 7 horses. Refused
2013/92401 – Change of use from stables and ménage to riding school with feed storage barn, equestrian facility and erection of additional stables (retrospective) with lighting to existing ménage. Approved and implemented.
- 4.2 Pre-application 2021/20177 – Officers advised that the proposal would be unlikely to be accepted, since it was not in accordance with Green Belt policy and that “very special circumstances” had not been demonstrated.

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

- 5.1 None to date.

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).

Kirklees Local Plan (2019):

- 6.2 The site is within the Green Belt within the Local Plan Proposals Map.

LP 21: Highway safety and access

LP 22: Parking

LP 24: Design

LP 28: Drainage

LP 30: Biodiversity

LP 47: Healthy, safe and active lifestyles

LP 50: Sport and physical activity

LP 56: Facilities for outdoor sport, outdoor recreation and cemeteries

Holme Valley Neighbourhood Development Plan

The site is within the Netherthong Rural Fringe Landscape Character Area of the Neighbourhood Plan.

Key landscape characteristic of the area are:

- The elevation offers extensive views of the surrounding landscape with long distance views towards Castle Hill and Huddersfield and the valley sides afford framed views towards settlements in the valley below.
- Within Netherthong and Oldfield views of the surrounding landscape are often glimpsed between buildings.
- Distinctive stone wall field boundary treatments divide the agricultural landscape.

- Public Rights of Way (PRoW), including the Holme Valley Circular Walk, cross the landscape providing links between settlements. National Cycle Route no. 68 also crosses the area.

Relevant Policies to this application within the Plan are:

- Policy 1 - Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 2 - Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 7 – Supporting Economic Activity
- Policy 12 – Promoting Sustainability

Supplementary Planning Guidance / Documents:

6.3

- KC Highways Design Guide 2019

Other Documents

- Biodiversity Net Gain Technical Advice Note 2021
- Climate Change Guidance for Planning Applications 2021

National Planning Guidance:

6.4

- **Paragraph 11** – Presumption in favour of sustainable development
- **Chapter 2** – Achieving sustainable development
- **Chapter 12** – Achieving well-designed places
- **Chapter 13** – Green Belts
- **Chapter 14** – Planning for flood risk, climate change and coastal change
- **Chapter 15** – Conserving and enhancing the natural environment

7.0 PUBLIC/LOCAL RESPONSE:

7.1 Publicity period expired 15-Sep-2022. Publicity by site notice and press advertisement in addition to neighbour letters since the proposal is deemed to be a departure from the development plan.

7.2 17 representations have been made, all in support of the proposal.

7.3 Summary of issues raised:

- It would be an asset to the local area because it would allow the arena to be used more of the time in inclement weather, when the wet ground can become slippery for ponies and the strong wind can unsettle them. It would enable greater use by people generally and also by people with special needs. It will owners to maintain their horses' fitness in the winter.

- It may benefit the local economy
- Roof will improve the visual appearance from Wood Nook Lane/Bradshaw Road, blending the enclosure in to the tree line behind and the opposite valley towards Castle Hill, and may make the stables more aesthetically appealing.
- It will cut down noise and light pollution created by riding lessons during the day and night.
- It will provide more activities for local children which is useful as there are hundreds of new houses being built in the area.

Holme Valley Parish Council – Support.

8.0 CONSULTATION RESPONSES:

8.1 **Statutory: There were no statutory consultees**

8.2 **Non-statutory:**

KC Planning Policy – Recommend refusal.

KC Landscape – Additional planting details (visualisations, planting schedule and management plan) should be submitted officers if minded to approve.

KC Highways Development Management – Response awaited

KC Ecology – No objections subject to enhancement measure (Swift box)

9.0 MAIN ISSUES

- Principle of development
- Appropriateness within the Green Belt
- Design and landscape issues
- Residential amenity
- Highway issues
- Drainage issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

10.1 The first consideration is that the site is located within land that is within the Green Belt in the Local Plan. Consequently, there is a presumption against development unless it falls within one of the categories listed in paragraphs 149-150 of the NPPF. One form of development that may be appropriate in principle is the provision of “appropriate facilities” (paragraph 149b), whether in connection with the existing use of land or a change of use, for outdoor sport or outdoor recreation.

- 10.2 Policy LP56 states that facilities associated with outdoor sport or recreation within the Green Belt will normally be acceptable as long as the openness of the Green Belt is preserved and that:
- The scale of the facility is no more than reasonably required;
 - It is unobtrusively located and does not introduce a prominent urban element.
- 10.3 The following policies are not intended to be applied to the Green Belt only, but generally throughout Kirklees. Policy LP47 states that healthy, safe and active lifestyles will be enabled by facilitating access to a range of high quality, well-maintained and accessible sports facilities. Policy LP50 (sport and physical activity) states that the Council will seek to protect and enhance outdoor and indoor sport facilities “where appropriate” and to increase participation in sport. This can include expanding and enhancing the range of indoor leisure facilities on offer in the district, provided that this does not conflict with other Local Plan policies.
- 10.4 In addition, the following NPPF policies are relevant here:
- Achieving well-designed places – planning decisions should aim to ensure that developments will function well, be visually attractive, be sympathetic to local character, establish and maintain a strong sense of place, optimise the potential of the site to accommodate development and create safe and accessible environments.
 - Meeting the challenges of climate change flood risk and coastal change – opportunities should be taken to reduce the causes and impacts of flooding, and prevent new and existing development from being put at unacceptable risk from, or contributing to unacceptable levels of, pollution or land instability;
 - Conserving and enhancing the natural environment – to minimise the impact on biodiversity and where possible enhance this.
- 10.5 In assessing the application, the aims of Policies LP21-22 (highway safety and parking), LP24 (design and amenity), and LP30 (biodiversity) will be taken into account.

Appropriateness within the Green Belt

- 10.6 Any development that improves access to sports facilities for people with disabilities would in principle support the aims of Policies LP47 and 50. However, any development within the Green Belt has to be assessed against the requirements of the NPPF Chapter 13 and Policy LP 56 as set out above.
- 10.7 Whilst equestrian activities and associated facilities such as stables are considered an appropriate use of land in the Green Belt, this is on the basis that riding itself is an outdoor activity. If it takes place within a building it would no longer qualify as “outdoor sport and recreation” and therefore would not be an “appropriate facility” within the meaning of the NPPF nor would it be deemed appropriate under Policy LP56. This would make it inappropriate development in the Green Belt in principle.
- 10.8 It should also be noted that the provision of spectator facilities does not fall within the definition of “appropriate facilities” for outdoor recreation.

- 10.9 The proposal could theoretically be considered as the “partial or complete redevelopment of previously developed land, whether redundant or in continuing use” as specified in paragraph 149(g) since the ménage could qualify as previously developed. This form of development is however only deemed appropriate if it would not have a greater impact on openness than the existing development. In this instance it would clearly have a much greater impact since it would involve erecting a substantial building where none exists now. As such it would be inappropriate under paragraph 149(g).
- 10.10 It would therefore only be allowed if “very special circumstances” could be demonstrated, meaning that the harm to the Green Belt by reason of inappropriateness and any other harm would have to be clearly outweighed by other considerations (NPPF paragraphs 147-148).
- 10.11 The applicant has submitted a statement which attempts to provide justification for the proposal. It makes, in brief, the following arguments.
- The range of uses of the ménage includes “ private lessons, training and children’s parties (pony parties), Saturday pony club and summer holiday camps” in addition to use by the RDA (Riding for the Disabled Association) which use the facility twice a week, and WAVES, a Slaithwaite-based organisation that offers young people, adults with learning difficulties and disabilities, opportunities to improve the quality of their lives.
 - The use of the facility is subject to good weather. High winds can scare the horses, which has an impact upon the safety of participants, and the land can become waterlogged in the winter
 - The groups using the facility often have people supporting them, such as parents carers and support staff. During the winter months there is no shelter for these spectators which reduces the attraction of the facility and reduces the number of people who may want to use the facility.
 - Kirklees College offer Equine Studies as part of their curriculum. They currently study at Hargate Hill Equestrian Centre in Glossop. This is 22 miles and nearly one hour’s drive from Huddersfield. Bradshaw Road Stables provides a far more sustainable location, being only a 5-mile drive that takes less than 20 minutes from Huddersfield. However, Kirklees College won’t use Bradshaw Road Stables as they are unable to guarantee use of the facility all year round, due to the impacts from the weather referred to above.
 - The proposed development will result in the Riding Scholl taking on an additional four full-time members of staff.
 - The height of the proposed facility will allow adequate height for show-jumping training.
 - It would look like an agricultural building by reason of its design and materials
 - The proposed development does not conflict with any of the five purposes of including land in Green Belt as set out in paragraph 138.

- 10.12 The proposed building would represent a very substantial increase in the cumulative volume and footprint of built development on site. It would be over 50% higher than the existing steel-clad building that borders the arena to the south-east and in terms of plot coverage it would exceed the footprint of all other buildings and structures presently there.
- 10.13 The visual impact of the existing buildings, although they are in open countryside, is limited because they are seen in the context of rising land to the south-west and woodland to the north-east. The proposed new building, as previously stated, would be significantly larger than any already on site and would extend the cluster of buildings northwards rather than being sited among them. The building would be clearly visible when viewed from the southern approach from Bradshaw Road at a distance of approximately 200m and the local topography would accentuate it rather than conceal it. Whilst the deciduous woodland in the background would go some way towards softening its impact, it would be seen in the context of falling land to the north. It would also be a highly visible feature when viewed from Wood Nook Lane.
- 10.14 It is therefore considered that the resultant harm to the openness of the Green Belt, (in addition to it being inappropriate in the Green Belt in principle) would be substantial.
- 10.15 The applicant has provided a list of what are purported to amount to 'very special circumstances' to clearly outweigh the inappropriateness of the development and the significant harm to the openness of the Green Belt. It is noted that it may bring some minor benefits in terms of job creation, and in reducing carbon emissions, by allowing the College to use it for their equine studies courses in preference to another facility 20 miles from the college. In principle, the enhancement of a facility in such a way as to allow it to be used in inclement weather, especially by riders with disabilities, can furthermore be viewed as a positive point since it would support the aims of the Equality Act, of Policy LP47 and 50 in encouraging greater participation in sports, and the social objective of sustainable development as set out in paragraph 8(b) of the NPPF. It should be noted however that the facilitation of horseback riding for people with disabilities is only one part of the riding school's activities. The lack of shelter for spectators cannot be given any substantial weight since if spectator shelter were deemed essential it would be possible to achieve this aim through a much smaller, low-key and temporary structure. Furthermore, it is not clear from the application documents that the applicant has explored the possibility of installing improved field drainage, which would go some way towards achieving the aims of the proposed building by preventing the land from becoming waterlogged.
- 10.16 The benefit of allowing people with disabilities or special needs to make greater use of the facility than they do now, whilst not insignificant, is still not commensurate with the level of harm to the openness of the Green Belt that would occur. This, and the other purported benefits, are not considered to carry sufficient weight to offset the need to preserve the openness of the Green Belt on a permanent basis and to which very substantial weight must be afforded.

- 10.17 The agent's claim that the proposed development does not conflict with any of the five purposes of including land in Green Belt as set out in paragraph 138 is demonstrably wrong, as the development would represent a significant encroachment into open countryside, thereby undermining the purpose of the Green Belt as set out in paragraph 138(c) of the NPPF – safeguarding the countryside from encroachment.
- 10.18 HVNP Policy 7 supports the “sustainable expansion” of existing businesses – where they are located outside the Green Belt. The same policy states that where a business-related proposal is on land within the Green Belt, it will need to be assessed for its acceptability having regard to local and national Green Belt policy. HVNDP does not therefore provide any basis for making a decision contrary to NPPF or Local Plan policy.
- 10.19 In conclusion, whilst this may be regarded as a balanced planning recommendation, it is considered that the benefits of allowing the proposal would not amount to “very special circumstances” in the sense that they would not clearly outweigh the harm to the Green Belt by reason of inappropriateness and harm to its openness.

Design and landscape issues

- 10.20 The existing buildings on site, whilst they are not considered to make a positive contribution to the character of the area, do not detract from it either, as they appear small and unobtrusive when viewed from a distance. The proposed building, as previously stated, would be of a much greater scale than any of the existing buildings and would appear more prominent because it would be seen in the context of falling land.
- 10.21 The elevation offers extensive views of the surrounding landscape with long distance views towards Castle Hill and Huddersfield and the valley sides afford framed views towards settlements in the valley below.
- 10.22 Some aspects of the design would make the proposed building superficially resemble an agricultural barn, and it might therefore have less of an adverse impact on the Green Belt than a stone or brick building of comparable size. In particular, the partial use of timber cladding is a positive point. But it remains officers' assessment that it would be a particular obtrusive and strident feature from near and distant viewpoints.
- 10.23 It is acknowledged that the adverse visual and landscape impacts of a building of this scale and in this location could be somewhat mitigated against using a robust and appropriate native woodland planting screen, although this would depend upon the thickness of the screen and the type of trees planted. This would not however negate the harm to the openness of the Green Belt, and would be unlikely to completely prevent any negative impact upon landscape or visual amenity.
- 10.24 It is therefore considered that the development would be harmful to local character, including landscape character, and would thereby conflict with the aims of Policy LP24a, HVNPD Policies 1-2, and paragraph 130(c) of the NPPF

Residential Amenity

- 10.25 The development would represent an enhancement of an existing business and it may result in a modest intensification of the use of the site. It is considered that this would be very unlikely to have any material impacts upon nearby residential properties by reason of increased noise, either from the use of the premises itself or from additional vehicle movements, or odours, and would thereby not conflict with the aims of Policies LP24(b) or LP52 of the Local Plan or those of NPPF Chapter 15.

Highway issues

- 10.26 The proposed development would not result in the loss of any designated parking areas, nor would it interfere with any vehicular access or circulation routes. Again, whilst it might result in a small intensification of the use of the site, it is considered unlikely that it would result in an increase in existing peak usage, and consequently considered unlikely that it would result in increased parking demand.

Drainage issues

- 10.27 The application form states that disposal of surface water will be by means of a sustainable drainage system. In the event of an approval, details of this would be conditioned.

Representations

- 10.28 Representations in support.

11.0 CONCLUSION

- 11.1 The proposed development would, for the reasons set out above, constitute inappropriate development. It would cause significant harm to the openness of the Green Belt and would undermine the purposes of including land within it. The applicant has attempted to demonstrate that “very special circumstances” exist that would outweigh the harm. These include principally social, but also economic and environmental benefits. It is considered that the benefits of allowing the proposal would not, in this case, amount to “very special circumstances” in the sense that they would not clearly outweigh the harm to the Green Belt by reason of inappropriateness and harm to its openness.

12.0 Reason for refusal

The proposed development would constitute inappropriate development within the Green Belt since it would be the erection of a building which does not meet any of the exceptions in paragraph 149 of the National Planning Policy Framework. It would cause significant harm to the openness of the Green Belt and would undermine the purposes of including land within it, in particular paragraph 138(c), in that it would amount to an encroachment of built development into open countryside. It is considered that the benefits of the new building would not constitute “very special circumstances” that would clearly outweigh the harm to the Green Belt by reason of inappropriateness and harm to its openness.

Background Papers:

Application and history files.

[Planning application details | Kirklees Council](#)

Certificate of Ownership – Notice served on/ or Certificate A signed: