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**Report of the Head of Planning and Development**

**HUDDERSFIELD PLANNING SUB-COMMITTEE**

**Date: 07-Sep-2023**

**Subject: Planning Application 2023/92035 Demolition of four existing agricultural buildings and erection of one replacement agricultural building 80, Cliff Road, Holmfirth, HD9 1UZ**

**APPLICANT**

A Stott

**DATE VALID**

07-Jul-2023

**TARGET DATE**

01-Sep-2023

**EXTENSION EXPIRY DATE**

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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**

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**Electoral wards affected: Holme Valley South**

**Ward Councillors consulted: No**

**Public or private: Public**

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**RECOMMENDATION:**

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

**1.0 INTRODUCTION:**

1.1 This application is brought before Huddersfield Sub-Committee for determination because the applicant is an employee of the Investment and Regeneration Service.

**2.0 SITE AND SURROUNDINGS:**

2.1 The application site comprises a steeply sloping, roughly rectangular, plot of land which is located on land east of the public highway close to the junction of Cliff Road and Cliff Lane. It is associated with a dwelling house, 80 Cliff Road, which is just outside the eastern boundary of the application site near the northern part of the site, accessed by means of a private driveway with an access point at the northern, and close to the southern end of the site.

2.2 The north-western part of the site, comprising the area enclosed by the driveway and the public highway, consists mainly of rough grass with a few small trees and a greenhouse. In the southern part of the site, south of the access track, are some small temporary buildings faced mainly in timber and metal sheeting. The highway boundary is marked by a drystone wall.

2.3 The surroundings of the site are rural and largely undeveloped, with housing on the eastern side of Cliff Lane only.

**3.0 PROPOSAL:**

3.1 The proposal is for the demolition of four existing buildings on the site, which are/were in agricultural use, and the erection of a single new agricultural building.

3.2 The new building is to be sited 20m to the east of the public highway and 22m south of the dwelling house (80 Cliff Road). It would have an approximate north-south orientation and would be 11.5m in length and 7.0m in width, providing an internal floor area of 79.8 square metres. Eaves height would be 2.9m, height to the ridge of the double-pitched roof would be 3.9m.

- 3.3 The lowest metre of all elevations of the building, the plinth, would be constructed using blockwork faced with reclaimed Yorkshire stone with the upper section in timber Yorkshire boarding. The roof would consist of profiled steel sheeting of a grey colour finish. A roller shutter door is proposed for the north-east elevation and a pedestrian door for the south-west elevation.
- 3.4 The proposed building would be used to store hay bales, feedstuffs for sheep, feed and bedding for chickens, to house livestock, and for the provision of lambing pens.
- 3.5 Following demolition / removal of the existing buildings the applicant has confirmed that the land upon which they are sited / constructed would be grubbed up, re-contoured to match adjoining land, and re-seeded with grass.

#### **4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

- 4.1 2017/93282 – Outline application for one dwelling. Withdrawn.

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

- 5.1 None.

#### **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 27<sup>th</sup> February 2019) and the Holme Valley Neighbourhood Development Plan (adopted 8<sup>th</sup> December 2021).

##### Kirklees Local Plan (2019):

- 6.2 The site is within land designated Green Belt on the Local Plan Proposals Map. The site also falls within the Holme Valley Corridor Strategic Green Infrastructure Network.

The following Local Plan policies are considered relevant:

- **LP 1** – Presumption in favour of sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway safety
- **LP 24** – Design
- **LP 26** – Renewable energy
- **LP 30** – Biodiversity and geodiversity
- **LP 31** – Strategic Green Infrastructure Network
- **LP 54** – Buildings for agriculture and forestry

##### Holme Valley Neighbourhood Development Plan

- 6.3 The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

6.4 The site lies on the border of two landscape character areas, LCA 4 – River Holme Settled Valley Floor and LCA 8 - Settled slopes of the Holme Valley

Key landscape characteristics of LCA 4 are:

- Framed views from the settled valley floor to the upper valley sides and views across to opposing valley slopes and beyond towards the Peak District National Park.
- Boundary treatments comprised largely of millstone grit walling. The stone walling which runs parallel with Upperthong Lane is representative of local vernacular detailing.
- A network of Public Rights of Way (PRoW) including the Holme Valley Riverside Way which follows the River Holme from Holmbridge through Holmfirth and downstream. National Cycle Route no. 68 follows minor roads through Upperthong towards the centre of Holmfirth before climbing the opposing valley slopes.
- Mill ponds reflect industrial heritage and offer recreation facilities.

Key built characteristic of the area are

- Mill buildings, chimneys and ponds, including Ribbleden Mill with its chimney, associated mill worker houses and ashlar fronted villas link the area to its industrial and commercial heritage and are a legacy of the area's former textile industry.
- Terraced cottages and distinctive over and under dwellings feature on the steep hillsides with steep ginnels, often with stone setts and narrow roads.
- Narrow winding streets with stepped passageways, stone troughs and setts characterise the sloping hillsides above Holmfirth town centre.
- Small tight knit settlements on the upper slopes are characterised by their former agricultural and domestic textile heritage.
- There are mixed areas of historic and more recent residential and commercial developments.

6.5 Key landscape characteristics of LCA 8 are:

- Strong rural setting and agricultural character with pastoral farmland on the rising valley slopes.
- There is a strong connection to the surrounding rural landscape from long distance and panoramic views over the wooded valley floor to the opposing valley sides as well as glimpsed views of the rural backdrop through gaps between the built form, especially within Totties and Scholes.
- Stone walls and hedgerows form field boundaries and line single lane roads.
- Short sections of the Kirklees Way, the Barnsley Boundary Walk and the Holme Valley Circular Walk cross the area. A short section of National Cycle Route no. 627 also crosses the north-east of the area.

Key built characteristic of the area are:

- Older settlements are characterised by their agricultural and industrial past and there are isolated farmsteads on the valley slopes.
- Scholes and Wooldale are the largest of the settlements and contain some services and older and more modern development.
- Vernacular building materials include millstone grit walls with grey slate roofs.

6.6 The following policies of this plan are considered most relevant:

Policy 1 – Protecting and Enhancing the Landscape Character of the 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 11 - Improving Transport, Accessibility and Local Infrastructure

Policy 12 – Promoting Sustainability

Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

Supplementary Planning Guidance / Documents:

6.7 The following SPDs are considered to be relevant:

- KC Highways Design Guide 2019
- Biodiversity Net Gain Technical Advice Note
- Climate Change Guidance for Planning Applications

6.8 National Planning Guidance:

- Chapter 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Green Belt
- Chapter 14 – Meeting the challenge of climate change, flood risk and coastal change
- Chapter 15 – Conserving and enhancing the natural environment.

## **7.0 PUBLIC/LOCAL RESPONSE:**

7.1 Publicity expired 22-Aug-2023. Publicity was by neighbour notification letter only thereby fulfilling the requirements of the Development Management Procedure Order.

7.2 Two representations have been received which are both supportive of the application. Summary of comments made:

- The outbuildings are in a state of disrepair and are unfit for purpose.
- The new development will blend into its surroundings better.
- The site may also be suitable for residential development.

7.3 Holme Valley Parish Council – Support.

## **8.0 CONSULTATION RESPONSES:**

### **8.1 Statutory:**

There were no statutory consultees.

### **8.2 Non-statutory:**

KC Environmental Services were consulted informally and confirmed that they had no objections or concerns subject to inclusion of a condition and an informative note relating to unexpected land contamination.

## **9.0 MAIN ISSUES**

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

## **10.0 APPRAISAL**

### Principle of development

- 10.1 Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in chapter 2 of the National Planning Policy Framework.
- 10.2 Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.
- 10.3 The following Local Plan policies are also considered to be relevant:
- LP21 – that proposals must ensure the safe and efficient flow of traffic and safe access.
  - LP22 – appropriate parking to be provided given the type of development and the accessibility of the site.
  - LP24 – the form, scale, layout and details of development must respect and enhance the character of the townscape and landscape, provide a high standard of amenity for future and neighbouring occupiers including appropriate distances between buildings and a high level of sustainability.
  - LP30 – Development should incorporate biodiversity enhancement measures.

- 10.4 Turning the Holme Valley NDP, Policy 1 requires that development must respect long-distance public views and, more specifically, that agricultural buildings should comply with Kirklees Local Plan LP54 and should use neutral colours and tones, with appropriate screening and landscaping. Policy 2 requires that building design should respect local built and landscape character, having regard to the specific character area.
- 10.5 Holme Valley NDP has no policy relating solely or mainly to agricultural buildings, but Policy 7 is deemed relevant. It states that proposals that result in the sustainable expansion of (especially) small businesses will be supported where the development is acceptable in terms of national Green Belt policy and subject to highway and environmental considerations.
- 10.6 In this case, it can be stated that the principle of development can be acceptable subject to the assessment of the development in relation to Green Belt policy, impact upon visual amenity, residential amenity, highway safety, drainage and any other applicable matters which are discussed as follows.

#### Appropriateness within Green Belt

- 10.7 The site is in the Green Belt and as such the proposal will be assessed having regard to the policies within Chapter 13 of the NPPF, in particular paragraphs 147-150. This states that the construction of buildings is inappropriate in the Green Belt. A number of exceptions to this are subsequently detailed in paragraph 149 provided they are for a limited range of uses, which includes agriculture at 149(a).

More specifically, however, Policy LP54 of the Local Plan states that such proposals will normally be acceptable, provided that:

- a) The building is genuinely required for the purposes of agriculture or forestry;
- b) The building is sited in close association with existing agricultural buildings, unless there are clear and demonstrable reasons for an isolated location;
- c) There will be no detriment to the amenity of nearby residents;
- d) The design and materials should have regard to relevant design policies and not materially detract from their setting.

Under Policy LP54, a new agricultural building must be “genuinely required” for the purposes of agriculture. The supporting text (paragraph 19.10) states that this will be “unlikely” to apply to situations where the enterprise is not the applicant’s main, principle or full-time occupation or business.

- 10.8 According to the applicant’s supporting statement, the primary purpose of the building is to provide hay and feed storage and an animal shelter for the applicant’s tenant, who rents other local fields amounting to 1.76ha in addition to making use of the applicant’s fields which cover 0.81ha. The tenant has 10 ewes, one ram and 15 lambs, and farms an area equivalent to about 2ha. A small area within the proposed building would be used for feed and bedding associated with the applicant’s own chickens.

- 10.9 The proposed building would be replacing four smaller buildings or structures which are currently able to be used for agricultural purposes. The proposal would be in use for the same purpose as the existing buildings upon the site. These buildings have a combined footprint of 84sqm and a combined volume of 306 cubic metres according to the agent's own calculations. On this basis the redevelopment of the site would mean a net reduction in aggregate floorspace and volume.
- 10.10 Whilst the proposed new building would have a somewhat more solid and permanent appearance than the structures already present on site, owing to the partial use of stone in the exterior walls and having Yorkshire boarding timber walls on all sides instead of being partially open like existing structure(s), it would also lead to a more consolidated appearance of the site overall. It is considered by officers therefore that its impact on the openness of the Green Belt would not be materially greater than that caused by the existing structures on site.
- 10.11 Furthermore, it is considered that the site would be of a more open appearance given the materials and sporadic placement of the buildings upon the site currently. Notwithstanding the scale of the development, which is being considered, this conclusion of officers is in light of the existing scale of the development of the site and on the basis the proposed building is not constructed until all the buildings at site have been removed / demolished and that the land should be restored to its former condition before the new building is first brought into use. It is only in these circumstances that a building to support the limited agricultural holding could be supported.
- 10.12 A suitably worded conditions can ensure that the site is developed in accordance with the details submitted. Whilst a new enterprise of such a scale may not be considered to meet the requirements of policy LP54, in this case, given the existing operations being undertaken from the site, the existing buildings and the nature of the proposal, it is concluded that the proposal is acceptable having regard to this policy and the requirements of policies within Chapter 13 of the NPPF.
- 10.13 In summary, since the proposed development is for the replacement of a collection of existing buildings or structures and would not have a materially greater impact on the openness of the Green Belt than the existing development, it is considered that an agricultural need has been demonstrated and that the development would support the aims of national and local Green Belt policy.

#### Design and landscape issues

- 10.14 Policy LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design.
- 10.15 The proposed building is of simple design with a dual pitched roof. The proposed palette of materials – coursed stone to a height of 1.0m, with timber boarding forming the upper part of the walls and with a profiled metal roof covering – are typical of agricultural buildings in this part of rural Kirklees. One of the advantages of this palette of materials, with the incorporation of timber cladding, would be to result in a relatively lightweight, impermanent appearance.

- 10.16 It is considered that the use of dark grey metal sheeting would fulfil the Holme Valley NDP Policy 1 aim of using “neutral colours”. It is considered that the building, with the materials chosen and being seen in the context of steeply rising land to the rear, would not amount to a strident feature in the landscape and that screen planting will therefore be unnecessary. Furthermore, it is noted the section of the site upon which it is proposed it would be located is level and there would not be a need for significant works to ensure it can be accommodated in the location proposed. The development would not adversely affect long-distance views or cause other important features highlighted in the Landscape Character Assessments to be damaged or lost.
- 10.17 To conclude, it is considered that subject to the natural stone plinth for external walling being in harmony with that used at 80 Cliff Road and the profiled roofing being either dark grey or brown, the development would conserve the character of the landscape and visual amenity and thereby comply with the aims of the Local Plan and Holme Valley NDP policies listed above.

#### Residential amenity

- 10.18 The site of the proposed building is not in close proximity to any independently occupied residential properties and as such it is considered that it would have no impact upon light or outlook for any third parties.
- 10.19 Agricultural buildings that are intended to be used to accommodate livestock may give rise to concerns about noise and odours if close to residential properties. In this instance, the nearest independently-occupied residential properties are roughly 60m away to the south-west and north-east, and some 80m away to the north-west. Given that the building proposed is small-scale and does not provide floorspace typical of a modern commercial farm, it is considered that these separation distances are sufficient to avoid negative impacts arising from noise or odours.
- 10.20 In conclusion, it is considered that the proposed development would comply with the aims of Policies LP24(b) and LP52 of the Local Plan and Policy 2 of the Holme Valley NDP.

#### Highway issues

- 10.21 It is considered that owing to the scale of the proposed development and since it does not represent a material change of use of the site, that it would be unlikely to lead to a significant increase in vehicular movements to and from the site. It would have no impact upon any existing access arrangements and would not affect highway inter-visibility. The proposal is therefore considered to be neutral in its impact on highway safety and accord with the aims of LP20-22 of the Local Plan and Policy 11 of the Holme Valley NDP.

#### Drainage issues

- 10.22 The site is not within an area known to be at risk of flooding. It is considered that it would not materially increase run-off compared to the existing buildings on site and that it would have no significant implications for drainage.

## Representations

10.23 Holme Valley Parish Council's support for the proposal is noted. Two representations have been received which are both supportive of the application. The comments are summarised below with officer responses:

- The outbuildings are in a state of disrepair and are unfit for purpose.

**Response:** It is noted that the buildings are in a poor state of repair although this alone does not imply there should be a presumption in favour of granting permission for a replacement building.

- The new development will blend into its surroundings better.

**Response:** It is considered that whilst being a larger and more permanent structure it would represent a small improvement on the existing buildings.

- The site may also be suitable for residential development.

**Response:** The possibility of future residential development on this site is outside the scope of this report and not material to the assessment of the present proposal. Other comments in this letter relate to land beyond the application site and are not relevant to the consideration of this application.

## Other Matters

### *Climate change*

10.24 On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. Since February 2023, the submission of a Climate Change Statement has been mandatory for new applications. In determining this application, the Council will use the relevant Local Plan policies including LP24(d).

10.25 The submitted Climate Change Statement suggests that given the nature of the proposal, energy needs when in use would be low, which is accepted by officers. It is also proposed that building materials would be sourced locally where possible. Given the scale and proposed use of the proposal, and since it will be largely timber-clad which means less embodied energy than in a masonry construction, the impact on carbon emissions would be low and the applicant will not be required to demonstrate further measures to mitigate climate change. The proposal is considered to accord with the aims of Policy LP24(d), Policy 12 of the Holme Valley NDP, and the aims of Chapter 14 of the NPPF.

### *Ecology*

10.26 The site is not within an area specially designated for the purposes of biodiversity. It does not lie within the bat alert layer but is within a zone in which there are Swift nesting records. The site is 170m from the Wildlife Habitat Network.

10.27 All developments are expected to incorporate measures to deliver biodiversity net gain, where practicable. The requirement to demonstrate a 10% biodiversity net gain using the Biodiversity Metric 2.0 does not apply to development classed as minor, except in sensitive locations. It is considered that the biodiversity value of the existing land and buildings is low. Officers consider that a proportionate measure would be the installation of a Sparrow Terrace (1SP Schwegler Sparrow Terrace or similar), preferably on the north-eastern or south-eastern elevations which are more sheltered from prevailing winds. This can be the subject of a prescriptive condition. The building is not suitable for a swift box as these would need to be placed at least 5m above ground level. Subject to this it would comply with the aims of LP30 and Policy 13 of the Holme Valley NDP.

## **11.0 CONCLUSION**

11.1 It is considered for the reasons set out in detail in this assessment that the proposal is a form of development that is by its nature appropriate within the Green Belt and that the applicant has demonstrated an agricultural need for the proposal. It is considered that design and materials are appropriate for the area, that it would have no adverse impact on highway safety or residential amenity, and that as conditioned it would be supportive of the aims of climate change mitigation and promotion of biodiversity net gain as set out in the aforementioned LP and Holme Valley NDP policies.

11.2 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, subject to the imposition of the conditions listed below.

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

1. Timeframe for commencement of development
2. Development to be in full accordance with submitted plans
3. Plinth to be coursed natural stone to harmonise with the stone at 80 Cliff Road
4. Roof colour to be dark grey or dark brown (colour to be agreed before committee date)
5. All redundant buildings to be permanently removed before new one brought into use.
6. Scheme of land restoration to be submitted and approved, including timescale of works to be undertaken, before new building is first brought into use.
7. Standard condition on unexpected contamination
8. Installation of sparrow terrace.

### **Background Papers:**

Application and history files.

[Planning application details | Kirklees Council](https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2023%2f92035)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2023%2f92035>

Certificate of Ownership – Certificate A signed.