

# KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

## DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

### DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

|                       |  |
|-----------------------|--|
| Reference No:         | <b>2024/62/91893/W</b>   |
| Site Address:         | Moss Edge Farm, Moss Edge Road, Holmbridge, Holmfirth, HD9 2SD   |
| Description:          | Part demolition and conversion of agricultural buildings to form 2 dwellings with associated parking and landscaping |
| Recommending Officer: | Lucy Taylor  |

### DECISION – CONDITIONAL FULL PERMISSION

**I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

John Holmes

***AUTHORISED OFFICER***

**Date:** 3<sup>rd</sup> October 2024

## **Officer Report.**

**Reference:** 2024/91893

**Location:** Moss Edge Farm, Moss Edge Road, Holmbridge, Holmfirth, HD9 2SD

**Proposal:** Part demolition and conversion of agricultural buildings to form 2 dwellings with associated parking and landscaping

## **Site Description.**

The buildings that are subject to his application are situated approximately 1km south of Holmebridge. They are accessed by means of Moss Edge Road, a private track which proceeds north off the adopted Hollin Brigg Lane close to the junction with Woodhouse Lane, serves at least four other dwellings close to the adopted highway, then continues as a private track to serve Moss Edge Farm. The total distance from the buildings to the adopted highway is roughly 800m. The middle and upper parts of its length, which serve Moss Edge Farm only and are in their ownership, are surfaced in tarmac.

The application site is located within the Green Belt and within the Holme Valley Corridor Strategic Green Infrastructure Network.

The application site is located approximately 200 metres from the boundaries of the Peak Park.

## **Description of Proposal.**

Planning permission is sought for the part demolition and conversion of agricultural buildings to form 2 dwellings with associated parking and landscaping.

The dwelling to occupy plot 1 will have four bedrooms comprising of 118m<sup>3</sup> at ground floor level and 87m<sup>3</sup> at first floor level.

The dwelling to occupy plot 2 will have 4 bedrooms comprising of 160m<sup>3</sup> at ground floor level and 90m<sup>3</sup> at first floor level.

Externally, the following alterations are proposed to The Stables and The North Barn:

- South-east elevation – one large door opening, one small door opening, two ground floor window openings and one rooflight opening are to be re-used; six new window openings are proposed and four new rooflights are proposed.

- North-west elevation – three existing openings are to be altered and re-used; four new window openings are proposed and eight new rooflights are proposed.
- South-west elevation – one door opening, and one window opening are to be re-used, one door opening is to be blocked up and two new window openings are proposed.
- North-east elevation – Three window openings are to be re-used, one door and one window opening are to be blocked up, and three new window openings are proposed.

Three parking spaces are proposed to serve each dwelling. The spaces for The Stables are proposed to be located opposite the front elevation and adjacent to the parking spaces for The West Barn. The spaces for The North Barn are proposed to be located adjacent to the front of the building. The private outdoor amenity spaces for both dwellings are proposed to be located in the north-west section of the application site, adjacent to the buildings.

### **History of Negotiations / Amendments Received.**

The case officer recommended that an amended location plan be submitted, with an amended red line. The case officer recommended that the red line be amended, to the extent of the parking area only, not expanding around the land beyond.

In response to the above case officer recommendations, an amended location plan was submitted.

### **Relevant Planning History.**

- 2023/91342 – Prior Notification for change of use from agricultural building to three dwellings with associated works. *Details Approved.*
- 2024/90476 - Demolition of Pole Barn and erection of one dwelling. *Granted Conditional Full Permission.*

### **Representations.**

The application was advertised via neighbour notification letters.

Final publicity date expired: 22<sup>nd</sup> August 2024.

In response to publicity, one objection was received, which raised the following concerns:

- this development is unsuitable given the access route to Moss Edge Farm, its location near the green belt, and the dangerous visual splays at the junction of Hollin Brigg Lane, Acre Lane and Woodhouse Lane.

- it would seem against the spirit of class Q developments to approve this application.
- there is the outstanding issue of a request for demolition of a pole barn and development of another property at the same address.

### **Consultation Responses.**

Holme Valley Parish Council – Defer to Kirklees officers. There is some concern for the adequacy of the access road but welcome the inclusion of an Air Source Heat Pump.

KC Highways Development Management – Given the previous permission, that passing places are proposed and sufficient off-street parking is shown, Highways Development Management have no objection to these proposals, with some suggested conditions.

KC Environmental Health – No objections with the inclusion of conditions / informative notes relating to contaminated land, construction site working times and private water supply.

Peak District National Park – No objections to the proposal. It is preferred that the proposal be constructed in traditional natural local materials that respect the character of its setting.

### **Policy.**

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).

The application site is located within the Green Belt and within the Holme Valley Corridor Strategic Green Infrastructure Network.

The application site is located approximately 200 metres from the boundaries of the Peak Park.

The application site is located within the Twite Buffer zone on the Council's GIS mapping system.

### **Kirklees Local Plan:**

- LP1 – Presumption in favour of sustainable development
- LP2 – Place shaping
- LP3 – Location of new development
- LP11 – Housing mix and affordable housing
- LP20 – Sustainable travel
- LP21 – Highway safety and access

- LP22 – Parking
- LP24 – Design
- LP28 – Drainage
- LP30 – Biodiversity & Geodiversity
- LP31 – Strategic Green Infrastructure Network
- LP32 – Landscape
- LP43 – Waste Management Hierarchy
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and Improvement of Local Environmental Quality
- LP53 – Contaminated and Unstable Land
- LP57 – The extension, alteration or replacement of existing buildings
- LP60 – Re-use and Conversion of Buildings

### **Holme Valley Neighbourhood Development Plan:**

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

- Policy 1: Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 2: Protecting and Enhancing the Built Character of the Holme Valley
- Policy 11: Improving Transport, Accessibility and Local Infrastructure
- Policy 12: Promoting Sustainability
- Policy 13: Protecting Wildlife and Securing Biodiversity Net Gain

It is important to note that the application site is within Landscape Character Area 3 – Hade Edge Upland Pastures. Key landscape characteristics of the area are:

- The open landscape has long distance views of the settled corridor of the River Holme and Kirklees district beyond as well as local views of open water bodies such as Boshaw Whams and Holme Styes.
- Stone boundary walls are common features creating a strong sense of visual unity.
- A network of Public Rights of Way (PRoW) follows local lanes or field boundaries. Minor roads and PRoW, including sections of the Kirklees Way and the Barnsley Boundary Walk long distance footpaths, connect farmsteads located on the valley sides. National Cycle Route no. 68 also passes through this area.

The key built characteristics of the area are:

- Dispersed settlements characterised by their former domestic textile manufacturing, mill buildings and agricultural heritage along with isolated farmsteads set within an upland agricultural landscape.
- Hade Edge is the largest of the settlements containing some services and modern and older development and lies on a plateau at Dunford Road / Penistone Road.

- Former textile/woollen mills set within the valley of the River Ribble.
- Vernacular building materials include millstone grit in properties and boundary walls.

### **Supplementary Planning Documents (SPD):**

- Highways Design Guide (2019)
- Housebuilders Design Guide (2021)

### **Other Guidance Documents:**

- Biodiversity Net Gain Technical Advice Note (2021)
- Nationally Described Space Standards
- National Design Guide
- Kirklees Waste Management Design Guide for New Developments (2020)
- Kirklees Climate Change Guidance for Planning Applications (2021)

### **National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th December 2023, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 11- Making effective use of land
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

### **Assessment.**

The following matters are considered in the assessment below: -

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Representations
- 7) Conclusion

## 1) Principle of Development

### Sustainable Development:

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and as such it is accepted that relevant Local Plan policies for the supply of housing land are out-of-date. This now triggers the NPPF presumption in favour of sustainable development.

As set on in NPPF paragraph 11d, this means that for decision making *“Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

Policy LP7 of the Kirklees Local Plan states encourages the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value and a net density of at least 35 dwellings per hectare should be provided. Principle 4 of the Housebuilders Design Guide seeks to ensure a density of 35 dwellings per hectare or more is achieved. Where a density of 35 dwellings per hectare cannot be achieved, policy LP7 sets out that lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs.

The site measures around ~ 5,381.87sqm, however, the significant size of the site

is predominantly a result of the inclusion of the access route to the property. Therefore, it is not considered that it would be feasible for more dwellings to be provided within the red line. Notwithstanding this, even if there was a possibility to provide more dwellings at the site, it would increase the potential for other issues to arise, which could have a harmful impact, including on the

openness of the Green Belt and highway safety. Therefore, in this instance, the density of development is considered to be appropriate in this case.

In this instance, the site comprises of a plot, which currently hosts two agricultural buildings. Officers note the previous Class Q applications relating to the two agricultural buildings the subject of this current planning application, and that their change of use for residential development has previously been established. A more detailed assessment of the proposal's design and its impacts on visual and residential amenity, highway safety and other relevant considerations, is undertaken in the following report.

The conclusion section of this report sets out the conclusions in relation to the principle of the development in light of all other material considerations.

#### Land Allocation (Green Belt):

The application site is located within the Green Belt. As such the proposal falls to be assessed against Chapter 13 of the NPPF. Chapter 13 of the NPPF requires Local Planning Authorities to regard the construction of new buildings as inappropriate development. Exceptions to this include the re-use of buildings provided that the buildings are of a permanent and substantial construction, engineering operations, and the extension and alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

All of the exceptions listed above (detailed in paragraphs 154 and 155 of the NPPF) could be applicable in this case provided that the proposed development preserves openness and does not conflict with the purposes of including land within the Green Belt.

Policy LP60 of the Kirklees Local Plan reiterates the first exception as stated above, by stipulating that the conversion or re-use of buildings in the Green Belt will normally be acceptable where:

- a) The building to be re-used or converted is of a permanent and substantial construction.
- b) The resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape.
- c) The design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting.

Policy LP57 of the Kirklees Local Plan relates to the extension, alteration or replacement of existing buildings. Noting that:

*a) in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;*

*b) in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing;*

*c) the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and*

*d) the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting’.*

In the case of this application, the submitted Planning Statement outlines that this application seeks planning permission for the part demolition of one portal framed barn and the conversion of one agricultural building to form two no. dwellings with associated parking and landscaping.

The submitted Planning Statement goes further to explain that: *“The proposed plans remain broadly similar to what was submitted and approved under the Class Q application. Whilst it is acknowledged that the impact on the Green Belt is not a material planning consideration when assessing Class Q applications, it is nevertheless important to recognise that the Class Q application represents a legitimate fallback position in this case and should therefore be considered as a baseline position when assessing the overall impact of the new proposed development on the Green Belt.”*

Therefore, on this occasion, it is considered that the planning balance needs to be considered, with the submitted Planning Statement setting out factors considered to constitute very special circumstances in this case, principally in the form of a legitimate and lawfully established fallback position.

As set out in paragraph 152 of the NPPF, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the NPPF goes on to advise that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The factors considered to constitute very special circumstances contained within the submitted Planning Statement are summarised below:

- The proposed plans remain broadly similar to what was submitted and approved under the Class Q application.
- A structural appraisal is submitted as part of this application and confirms that The North Barn and The Stables are free from any major structural defect or distress, and although the building is of a significant age, its original construction is such that it can be used for many years to come. The building is in a sound and stable structural condition and can be deemed to be of a permanent and substantial construction suitable for its conversion into dwellings.

Note: the lawfully established fallback position is capable of being implemented by the applicant and would likely be built in the event there was no other option.

- The existing access known as Moss Edge Road is proposed to be used to serve the new dwellings.
- The size of the rear gardens is considered to be no larger than what is reasonably necessary to provide future occupants with a good degree of private outdoor space, and the areas provided (other than the addition of one extra parking space within the central courtyard) are the same size as those approved under the Class Q process, so there is no greater impact on Green Belt openness than the Class Q fallback position.
- The proposed design and materials are considered to be appropriate for the Green Belt setting.

When considering the weight afforded to this 'fall-back' position, the following tests should be applied:

- (a) Whether there is a fall-back use, that is to say whether there is a lawful ability to undertake such a use
- (b) Whether there is a likelihood or real prospect of such a use occurring (e.g. structural survey, comparable quotations/costs of each proposal, evidence that there is a reasonable prospect of the works taking place); and
- (c) If the answer to (a) and (b) is "yes", then a comparison will be made between the impact between the proposed development and the fallback use at application stage.

Given the above explanation and information provided within the submitted Planning Statement, in conjunction with the criteria set out above, it is considered that the development that could be undertaken at site is a circumstance which can be afforded such weight as to be considered a factor which weighs in favour of there being very special circumstances in this case.

In addition to the fall back which could be undertaken, it is considered weight can be afforded the fact that permitted development rights can be removed, as a condition of any grant of permission. It is considered this is a factor which forms part of the very special circumstances that weigh in favour in this case. It is considered that removal of permitted development rights would be applicable in this exceptional case in light of the fact it would contribute to there being identifiable very special circumstances.

Therefore, as set out above within this section of the report, it is considered that there are considerations to represent very special circumstances in this case, which clearly outweighs the harm of the development in the Green Belt by reason of inappropriateness and any other harm, all of which is discussed further below in this report. As such, it has been considered that the proposal can, on balance, be supported in this regard.

The proposal is considered to therefore comply with the policies within Chapter 13 of the NPPF.

### **1) Impact on Visual Amenity**

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Policy LP24 states that all proposals should promote good design by ensuring the following:

*“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...*

*c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...”*

Policy LP11 of the Kirklees Local Plan requires that All proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need.

Policy 1 of the Holme Valley Neighbourhood Development Plan (HVNDP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), Hade Edge Upland Pastures (LCA3).

Policy 2 of the HVNDP states that *“proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings”* and [proposals] *“should protect and enhance local built character and distinctiveness...”*

Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: *“New residential development proposals will be expected to respect and enhance the local character of the area by:*

- *Taking cues from the character of the built and natural environment within the locality.*
- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details*

- *Illustrating how landscape opportunities have been used and promote a responsive appropriate approach to the local context.”*

Principle 5 of the Housebuilders Design Guide states, amongst other things, that buildings should be aligned and set-back to form a coherent building line and designed to front on to the street.

In respect of the proposed layout of the site, this is somewhat dictated by the existing agricultural buildings and the other buildings within the immediate vicinity of the site which are to be converted to form dwellings, following the approval of details under application 2023/91342 and 2024/90476. Therefore, given that the proposals will not significantly change the existing arrangement of built form, or the layout of built form as previously approved under applications 2023/91342 and 2024/90476, which saw the creation of a small hamlet of residential properties, the proposals are considered to accord with Principle 5 of the above SPD.

Principle 6 of the Housebuilders Design Guide SPD highlights *that ‘the space between buildings can help maximise residential amenity in terms of maintaining privacy, reducing overlooking and ensuring natural light is able to penetrate buildings...normally new build development should seek appropriate separation distances for servicing, accommodating future adaptations and creating attractive street scenes. These should be in keeping with the character and context of the site and proportionate to the scale of the dwellings’.*

Paragraph 7.19 of Principle 6 states that for houses two-storeys or above, there should normally be a minimum of a 2m distance from the side wall of the new dwelling to a shared boundary.

In this instance, the new dwellings would retain a separation distance of 2.5 metres from the nearest property within the immediate vicinity of the site. Therefore, the proposals are considered to accord with Principle 6 of the above SPD.

Principle 15 of the Housebuilders design guide sets out that the design of the roofline should relate well to the site context, including topography, views, heights of buildings and the roof types.

Principle 13 seeks to ensure consideration is given to use locally prevalent materials and finishing to reflect the locality.

The proposed dwellings would be of the same height and have the same roof design and roofline as the existing agricultural buildings and the materials to the external walls of the dwellings and roofs would be stone and stone slates, the same as existing. Therefore, it is considered that the new dwelling under this application would reflect what currently exists at the site and thus also accord with Principles 13 and 15 of the above SPD.

Principle 14 notes that the design of openings is expected to relate well to the

street frontage and neighbouring properties.

The dwellings would have openings to all elevations and would incorporate roof lights. It is considered that the proposed design of openings would relate well to previously approved residential developments within the immediate vicinity, including those as approved under application 2023/91342 and 2024/90476.

In addition, the application form sets out that doors and windows would be constructed from grey aluminium / composite. This accords with the details as approved under application 2023/91342 and the design of fenestration detailing as approved under application 2024/90476 for the conversion of a pole barn to a dwelling.

Access is retained as existing.

Three parking spaces are proposed to serve each dwelling. The spaces for The Stables are proposed to be located opposite the front elevation and adjacent to the parking spaces for The West Barn. The spaces for The North Barn are proposed to be located adjacent to the front of the building. This replicates the layout of parking as approved under application 2023/91342.

The private outdoor amenity spaces for both dwellings are proposed to be located in the north-west section of the application site, adjacent to the buildings. The submitted plans show that the outdoor amenity space to serve each dwelling will consist of a patio area and an area annotated as 'garden'. It is considered that this layout of private amenity space is appropriate from a visual amenity perspective.

With regards to boundary treatments (landscaping), the submitted application form states that post and rail fencing will be incorporated. Whilst it is considered that this boundary treatment would likely be appropriate from a visual amenity perspective, upon any grant of approval, it is considered reasonable to include a condition regarding the submission of boundary treatments.

In summary, with the inclusion of the aforementioned conditions, it is concluded that the proposed development would have an acceptable impact on visual amenity.

## **2) Impact on Residential Amenity**

Sections B & C of the Kirklees Local Plan Policy LP24 which states that alterations to existing buildings should: *'Maintain appropriate distances between buildings'* and *'...minimise impact on residential amenity of future and neighbouring occupiers'*.

Further to this, paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future occupiers.

Principle 6 of the Housebuilders Design Guide sets out that residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.

The text supporting Principle 6 of the Kirklees Housebuilder Design Guide SPD states set out recommended minimum separation distances for two storey properties, these being:

- 21 metres between facing windows of habitable rooms;
- 12 metres between windows of habitable rooms that face onto windows of non-habitable rooms;
- For a new dwelling in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metre distance from the side wall of the new dwelling to a shared boundary.

*Impact to Neighbouring Properties:*

The West Barn was granted approval to become a residential property under application 2023/91342. The proposed dwellings under this application would retain a separation distance of approximately 2.5 metres from the closest elevation of The West Barn. Given this separation distance, and the fact that the size / scale of the structures are to remain as existing, officers do not have concerns in respect of overshadowing or the proposals appearing overbearing on the neighbouring property of The West Barn.

The proposed ground floor window to The Stables is to be within the same position in the side elevation of the dwelling as approved under application 2023/91342. This window as approved under application 2023/91342 served a bedroom, with the window under this current application proposed to serve a playroom. As such, on balance, it is considered that this ground floor window is acceptable from a residential amenity perspective with regard to impacts of overlooking.

With regard to the two first floor bedroom windows proposed in the side elevation of The Stables, officers note that the only first floor window in the facing elevation of The West Barn is to serve the stairs / hallway area. As such, given that the proposed bedroom windows are not directly adjacent to any habitable room windows in The West Barn, it is considered that their installation would not result in undue impacts to the residential privacy of the occupiers of this neighbouring.

The Pole Barn was granted permission to be demolished and a dwelling to be erected in its place under application 2024/90476. The dwellings under this application will retain a separation distance over 2 metres from the adjacent elevation of this new dwelling. Therefore, officers do not have concerns in respect of overshadowing or the proposals appearing overbearing on this future neighbouring residential property.

The North Barn proposed windows in the side elevation, adjacent to the siting of the dwelling to replace the existing pole barn. The windows in the adjacent side elevation of the new dwelling were approved on the premises of been obscure glazed. Therefore, given this obscure glazing, it is not considered that the proposed windows in the side elevation of The North Barn would result in undue impacts of overlooking for the future occupiers of the new dwelling.

With regard to the close relationship between the gardens of the above neighbouring dwellings and the dwellings proposed under this application, upon any grant of approval, a condition shall be included regarding the submission of a scheme detailing all boundary treatments.

It is considered that the proposed dwelling would retain a sufficient distance from the other residential property within the immediate vicinity of the site (Farm House) as to prevent undue impacts of overlooking, overshadowing and overbearing.

#### Noise / Dust / Odour:

Paragraph 191 of the NPPF, contained within Chapter 15, sets out that proposals should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development Policy LP52 of the Kirklees Local Plan seeks to ensure that, amongst other things, the impact from noise for new development is acceptable.

Policy LP52 is considered to be of relevance and sets out that development which has the potential to increase pollution from noise must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level.

To protect the amenity of surrounding residents, upon any grant of approval, an informative note which restricts noisy construction related activities during construction works will be included within the decision notice.

#### Amenity of Future Occupiers of the Proposed Dwellings:

Consideration must also be given to the amenity of future residents of the proposed dwelling. Principle 16 of the Housebuilders Design Guide seeks to ensure the floorspace of dwellings accord with the 'Nationally Described Space Standards' document (March 2015).

Internally, the proposed dwellings would have GIA that would comfortably exceed the minimum space standards set out in the Nationally Described Space Standards (NDSS), with all habitable rooms having access to at least one form of glazing.

Whilst officers note that two of the bedrooms within the proposed dwellings would be served only by a velux window, given that the dwellings provide

other areas of habitable living space that are adequately served by glazing, based on the individual merits of the application, this layout is considered acceptable in this instance.

Officers therefore consider that the proposed dwelling would provide an adequate standard of amenity for future occupiers in this regard.

In this case, the dwellings would have four bedrooms. It is considered that the amount of outdoor amenity space provided for the proposed dwelling would be sufficient. It is also considered that the outdoor amenity space would receive sufficient levels of sunlight. Therefore, it is considered that the proposed amenity space would meet the requirements of Principle 17 of the SPD.

In conclusion, with the inclusion of the aforementioned informative note, it is considered that the proposals would not result in significant impacts on the privacy and amenity of any neighbouring occupants, complying with Policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework. The proposals are also considered to accord with Principles 6, 16 and 17 of the Council's Housebuilders Design Guide SPD.

### **3) Impact on Highway Safety**

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Principle 12 of the SPD sets out, amongst other things, that parking to serve dwellings should not dominate streets and should be to the side / rear.

Principle 19 of the SPD states that provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

As part of the determination of this application, a formal consultation was undertaken with KC Highways Development Management.

The Highways Officer made the following comments:

'This application seeks approval to the part demolition and conversion of agricultural buildings to form 2 dwellings with associated parking and landscaping at Moss Edge Farm, Moss Edge Road, Holmbridge, Holmfirth.

Details were approved in December 2023 for a similar proposal on this site for the Prior Notification for change of use from agricultural buildings to three dwellings with associated works – 2023/91342.

From the Planning Statement: *“In the previous application, the applicant applied for two larger homes (The West Barn and The North Barn) with an overall floor area measuring below 465 square metres and one smaller home (The Stables) with an overall floor area measuring less than 100 square metres. On reflection, however, the applicant would like to sub-divide the building known as The North Barn and The Stables more equally in terms of floor space and create additional accommodation at first floor level”.*

The previous application (2023/91342) included seven passing places along Moss Edge Road. The current proposals also include the same seven passing places.

Three off street parking spaces are shown to be retained for each of the proposed dwellings.

Given the previous permission, that passing places are proposed and sufficient off-street parking is shown, Highways Development Management have no objection to these proposals, with some suggested conditions regarding the surfacing of parking spaces and removal of obstructions from passing places.’

Having regard to the development proposal the subject of this application and subject to inclusion of the recommended conditions it is considered the development would have an acceptable impact upon access and highway safety.

It is noted that the previous Class Q consent was subject to a unilateral undertaking which related to a winter maintenance schedule. This was included to ensure the proposal passed the test in relation to ‘Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use’.

This application, seeking planning permission, is a separate consent process compared to the process followed for the Class Q consent (prior approval via permitted development regulations).

Weight is afforded the response of the Highways Team who state they have no objection to the proposal subject to inclusion of conditions. Whilst maintenance of the access is a matter that will be applicable for any occupiers of the dwelling(s), it is considered that it does not form a consideration as part of this application for planning permission for which it would be reasonable of the LPA to insist upon the requirement for a S106 agreement to be in place to secure.

The legal agreement in place as part of the application for prior notification was largely to ensure that a requirement of the pd regulations could be met. There is no such requirement applicable in this case. It is considered this is a circumstance which is such that the requirement for a legal agreement to be in place as part of this application cannot be justified.

For these reasons, with the inclusion of the suggested conditions, the proposed development is considered to comply with the requirements of LP21, LP22 and LP24 part d(vi), LP43 and the Kirklees Highway Design Guide SPD.

#### **4) Other Matters**

##### Climate Change:

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. The Local Plan predates the declaration of a climate emergency and the net zero carbon target however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning application's, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Principle 18 of the Housebuilders Design Guide SPD sets out that *"New proposals should contribute to the Council's ambition to have net zero carbon emissions by 2038, with high levels of environmental sustainability by ensuring the fabric and siting of homes, and their energy sources reduce their reliance on sources of non-renewable energy."*

As part of this application, a Climate Change Statement was submitted, which set out several mitigation measures.

In this case, it is considered that the resultant residential development would have an acceptable impact on Climate Change, given the requirement in relation to building regulations.

##### Biodiversity / Ecology:

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 9 of the Housebuilders Design Guide SPD states that *“Proposals are required to provide net gains in biodiversity, with ecological enhancement integral to the design of the development.”*

The application site is located within a Twite Buffer zone on the Council’s GIS mapping system.

Upon any grant of approval, a condition shall be imposed to allow for biodiversity net gain at the site and continuity of opportunities within the Twite layer. Subject to the inclusion of such a condition, the proposal is considered to meet the requirements of the aforementioned policies.

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The development is considered to benefit from the de-minimus exemption as set out by The Biodiversity Gain Requirements (Exemptions) Regulations 2024 and there is no requirement for BNG to be provided in respect of the aforementioned legislation.

*Strategic Green Infrastructure Network:*

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhances green infrastructure is provided / integrated into new developments. In addition, this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies within the Kirklees Local Plan policy LP31 sets out that the Council will support such development.

The application form confirms that there are no trees or hedges on the proposed development site and that there are no trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character.

As such, given that the proposal would not result in the loss of any existing trees or hedgerows at the application site, it is not considered that the proposal would have a significant impact upon the Strategic Green Infrastructure Network.

*Peak Park:*

The application site is located approximately 200 metres from the boundaries of the Peak Park.

As part of the determination of this application, a formal consultation was undertaken with the Peak District National Park Authority. The consultation concluded that the Peak District National Park Authority has no objections to the proposal.

Within their consultation response, the Peak District Park Authority also sets out that it is preferred that the proposal be constructed in traditional natural local materials that respect the character of its setting.

The application form confirms that any works to the external walls and / or roof of the agricultural buildings to be converted would be carried out in stone and stone slates. Therefore, officers conclude that the materials respect the character of its setting.

#### Air Quality:

Government guidance on air quality mitigation outlined within the NPPG and Chapter 15 of the NPPF, and local policy contained within LP24, LP26 and LP51 and the West Yorkshire Low Emissions Strategy Planning Guidance seek to mitigate Air Quality harm.

It is noted that Electric Vehicle charging points are a requirement of building regulations and would be covered by that requirement in the event of any approval.

This is now controlled by Part S of the Building Regulations which came into force in June 2022 and would not be repeated as a planning condition. However, upon any grant of approval, an advisory footnote for electric vehicle charging points would be included.

#### Private Water Supply:

The proposed development will require a wholesome drinking water supply. KC Environmental Health Officers confirmed that they were informed via email, that each of the proposed dwellings will be provided with a private borehole supply.

A sufficient and wholesome drinking water supply must be provided for the proposed development. The drinking water must comply with drinking water quality standards so as not to constitute a potential danger to human health, and it must be acceptable to consumers in appearance, odour and taste.

Wholesome is defined in Part 2 Regulation 4 of the Private Water Supplies (England) Regulations 2016 or in any new legislation that supersedes this. For further information regarding Private Water Supplies contact: [watersampling@kirklees.gov.uk](mailto:watersampling@kirklees.gov.uk).

KC Environmental Health Officers remind the applicant that any new boreholes will be circa 600m from established private water supplies in the locality and the existing spring supply to the farm. It is therefore important that

the proposed development does not have an adverse impact on existing private water supplies and/or the collection grounds of private water supplies which could constitute a potential risk to human health. We strongly advise the applicant to consult a specialist hydrogeologist for advice.

#### Drainage:

The Planning Statement sets out the existing septic tank which is currently located north-east of The North Barn is to be removed and replaced with a new Klargestor Alpha septic tank (STS04610) with access to a soakaway/drainage field to comply with BS6297 located north-east of the septic tank on land within the applicant's ownership.

Therefore, upon any grant of approval, a condition shall be imposed regarding the implementation of the agreed foul drainage scheme and an informative about the adequate provision for foul drainage.

#### Contaminated Land:

The site of the proposed development is not situated on land identified as potentially contaminated, it was however a working farm and buildings, potential contamination could be present. Whilst we have no objections to the proposal, in order to protect the sensitive end users and ensure the site is safe and suitable for its intended use we recommend contaminated land conditions.

Policy LP28 seeks to ensure development has an acceptable impact, having regard to surface water drainage. Policy LP53 of the Kirklees Local Plan and paragraphs 186 and 195 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

Paragraph 190 of the National Planning Policy Framework states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rest with the developer and/or landowner.

Upon any grant of approval, conditions will be imposed regarding contaminated land.

Subject to the inclusion of these conditions, the proposal is considered to be acceptable in this regard.

### **5) Representations**

In response to publicity, one objection was received. The concerns raised within this objection are set out below, accompanied with an officer response.

- this development is unsuitable given the access route to Moss Edge Farm, its location near the green belt, and the dangerous visual plays at the junction of Hollin Brigg Lane, Acre Lane and Woodhouse Lane.

**Officer Response:** *Section 4 of this officer's report sets out a full assessment of the proposal and its impacts to highway safety, including the comments from Kirklees Highways Team. It is concluded that the proposal is acceptable from a highway safety perspective, with the inclusion of the conditions as suggested within the consultation response from KC Highways Development Management.*

- it would seem against the spirit of class Q developments to approve this application.

**Officer Response:** *The matters of the previous Class Q application, relevant to this application, are set out within the relevant sets of this report, including within the Green Belt section, visual amenity section and residential amenity section. This application seeks planning permission, which is a different consent process than an application for prior approval linked to permitted development legislation and this case is dealt with in relation to the relevant matters for this application for planning permission.*

- there is the outstanding issue of a request for demolition of a pole barn and development of another property at the same address.

**Officer Response:** *Planning application 2024/90476, which sought consent for this development, has been granted conditional full planning permission. This is noted in relation to the consideration of this case.*

## **6) Conclusion**

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.

This application has been assessed against relevant policies in the development plan and other materials considerations. It is considered that the development is acceptable and is therefore recommended for approval.

**Recommendation: Approve**

**Decision Authorisation: Delegated Powers**

**Application Number: 2024/91893**

**Officer Recommendation: Approve**

### **Conditions and Reasons:**

1. The development hereby permitted shall be begun within three years of the date of this permission.

**Reason:** To ensure compliance with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specification schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

**Reason:** For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP11, LP20, LP21, LP22, LP24, LP28, LP30, LP31, LP32, LP43, LP51, LP52, LP53, LP57 & LP60 Principles 2, 5, 6, 12, 13, 14, 15, 16, 17, 18 & 19 of the Housebuilders Design Guide Supplementary Planning Document, Policies 1, 2, 11, 12 & 13 of the Holme Valley Neighbourhood Development Plan and Chapters 2, 4, 5, 11, 12, 13, 14 & 15 of the National Planning Policy Framework.

3. Any works to the external walls and roofs of the existing agricultural buildings shall be carried out in stone and stone slates that, in all respects, match the materials of the existing buildings. These materials shall be thereafter retained.

**Reason:** In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, Principle 13 of the Council's adopted Housebuilders Design Guide SPD, Policies 1 & 2 of the Holme Valley Neighbourhood Plan and policies within Chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Classes A, AA, B, C, D or E of Part 1 and / or class A of Part 2 of Schedule 2 to that Order shall be carried out within the site outlined in red on the hereby approved Location Plan without the prior written consent of the Local Planning Authority.

**Reason:** In the interests of the Green Belt to accord with the requirement for very special circumstances to be demonstrated in this case to comply with policies within Chapter 13 of the National Planning Policy Framework.

5. The development hereby approved shall not be brought into use until a scheme detailing all boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall detail the height, location and construction of all boundary treatment. The boundary treatments approved by this condition shall be completed prior to the development being brought into use and retained thereafter.

**Reason:** In the interests of visual amenity and to accord with Policies LP24 of the Kirklees Local Plan and policies within Chapters 12 of the National Planning Policy Framework.

6. The dwelling hereby approved shall not be occupied until all areas indicated to be used for vehicles and pedestrians within the curtilage of the dwelling has been laid out with a hardened, sealed and drained surface. Provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. Should permeable or porous surfacing be intended to be used, no dwelling house shall be occupied until a scheme detailing the intended surfacing to areas for vehicles and pedestrians for that dwelling house has been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall thereafter be retained and maintained.

**Reason:** In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and to ensure that the additional hardstanding area is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

7. All areas designated as passing places on the submitted plan ref: 146-24- PL101 Revision D shall be cleared of obstructions to their use before any new dwelling is occupied and shall thereafter be so always retained.

**Reason:** In the interests of ensuring a safe and convenient means of access for future occupants and visitors, in accordance with Policy LP21 of the Kirklees Local Plan.

8. Before the development is first brought into use all works which form part of the foul drainage scheme as specified on the submitted plan titled "Proposed Site Layout" (drawing no. 246-24-PL02 Rev B) shall be completed.

**Reason:** to prevent loss of amenity by way of foul effluent polluting the local environment and impacting drinking water quality, to accord with the aims of the Kirklees Local Plan LP34 and LP52 and Chapters 15 of the National Planning Policy Framework.

9. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

10. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 9 groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

11. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 10 further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

12. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 11. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

13. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

14. A woodcrete or long lasting nest box suitable for starlings or sparrows shall be erected on the exterior of each of the approved dwellings before the dwelling to which the box relates is first occupied. The box

shall be installed at least 3 metres above the ground and not located above windows or doors. The box shall thereafter be retained.

**Reason:** In the interests of enhancing the biodiversity value of the site, in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

**NOTE:** Contaminated Land

All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021.

Reports must be prepared in accordance with the following guidance:

- *Land Contamination Risk Management (LCRM)*
- BS 10175:2011+ A2:2017 *Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020* by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

**NOTE:** Private Water Supply

The proposed development will require a wholesome drinking water supply, we have been informed via email, dated 15/07/2024, that each proposed dwelling will be provided with a private borehole supply.

A sufficient and wholesome drinking water supply must be provided for the proposed development. The drinking water must comply with drinking water quality standards so as not to constitute a potential danger to human health, and it must be acceptable to consumers in appearance, odour and taste.

Wholesome is defined in Part 2 Regulation 4 of the Private Water Supplies (England) Regulations 2016 or in any new legislation that supersedes this.

For further information regarding Private Water Supplies contact:

[watersampling@kirklees.gov.uk](mailto:watersampling@kirklees.gov.uk).

We would also remind the applicant that any new boreholes will be circa 600m from established private water supplies in the locality and the existing spring supply to the farm. It is therefore important that the proposed development does not have an adverse impact on existing private water supplies and/or the collection grounds of private water supplies which could constitute a potential risk to human health. We strongly advise the applicant to consult a specialist hydrogeologist for advice.

**NOTE:** Construction Site Working Times

No construction related noise shall be audible beyond the site boundary outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Public Holidays.

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

**NOTE:**

- Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.
- To futureproof the development, we would encourage the applicant to provide these in accordance with the current Air Quality & Emissions Technical Planning Guidance from the West Yorkshire Low Emissions Strategy (WYLES) Group

**NOTE:** Specialist advice should be sought for the design and installation of a small sewage treatment system which should meet the relevant standards. The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

Any discharge from a waste-water treatment system is likely to require a consent from the Environment Agency who may need to be consulted on the application.

**NOTE:** Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

Plans and Specifications Schedule: -

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|--|---------------------------|---|----------|
| First Floor Plan   | HADL_12_Moss<br>Edge Farm | A | 05.07.24 |
| Ground Floor Plan  | HADL_12_Moss<br>Edge Farm | A | 05.07.24 |
| Site Plan  | HADL_12_Moss<br>Edge Farm | A | 05.07.24 |
| Elevations Plan<br>North Barn  | HADL_12_Moss<br>Edge Farm | A | 05.07.24 |
| West Barn, North<br>Barn & The<br>Stables Proposed<br>Elevations                   | 246-24-PL04               | D | 05.07.24 |
| West Barn, North<br>Barn & The<br>Stables Proposed<br>Ground & First<br>Floor Plan | 246-24-PL03               | D | 05.07.24 |
| Proposed Site<br>Layout  | 246-24-PL02               | B | 05.07.24 |
| Location Plan  | 246-24-PL01               | D | 20.08.24 |
| Climate Change<br>Statement  | -                         | - | 05.07.24 |
| Planning<br>Statement  | -                         | - | 05.07.24 |
| Structural<br>Appraisal by<br>Marsh Design<br>Limited                              | MDL – 8338                | - | 08.07.24 |

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

In response to case officer recommendations, an amended location plan was submitted.

**Report Dated:** 01.10.24

