

**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>2024/62/93266/E</b>
Site Address:	160 , Lane Head Road, Shepley, Huddersfield, HD8 8BW
Description:	Extensions and alterations to convert existing agricultural buildings to a 6-bedroom dwellinghouse with associated car parking and landscaping
Recommending Officer:	Kerri Simpson

**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:** 4<sup>th</sup> November 2025

## **Officer Report – 2024/93266**

160 , Lane Head Road, Shepley, Huddersfield, HD8 8BW

### **Site Description**

The site is a circa 0.67ha area of land located on the eastern side of Lane Head Road. The site is accessed from Lane Head Road via an unmade track and currently comprises four buildings constructed in various materials including concrete panels, profile sheet cladding, natural stone, rendered timber with a mixture of flat roof membrane, profile sheet cladding and slate roofs. The buildings are positioned towards the southern boundary of the site in a loose L-shaped courtyard layout and are single to two storeys in height.

The site is bounded to the north and east by open land, to the west by open land with Lane Head Road, as well as residential properties beyond and to the south immediately by open land with residential properties on Highfield Court beyond.

### **Description of Proposal**

#### The Scheme

The proposal seeks permission for the conversion and alteration of four existing structures (outbuildings) to form a part two-storey, part single-storey, six bedroom dwellinghouse. The scheme involves the full demolition of outbuildings 1, 3 and 4 and partial demolition of outbuilding 2, as described within the submitted documents. A two-storey section would be formed through outbuilding 2, retaining a ridge height of approximately 5.5m, while the single storey section would have an overall height of approximately 2.6m.

The proposed dwelling would have a Gross Internal Area (GIA) of circa 511.03sqm comprising circa 381.63sqm at ground floor and 129.4sqm at first floor. Externally, the building would be finished in a combination of dark brick at plinth level and featured vertically on elevations, vertical timber cladding, and a standing seam metal roof, with powder coated aluminium windows and doors throughout.

The development would utilise the existing access from Lane Head Road, which would be formalised with a dropped kerb and surfacing. A 3.7m wide site access road would be retained, with 0.75m grass verges either side, leading to a turning head. The scheme also includes soft landscaping to the front of the building, and off-street parking provision for four vehicles.

#### *Supporting Information*

In addition to the submitted plans the following documents have been submitted to support the application to support the application:

- 8308 – Visual Structural Survey of Outbuilding 2 (Prepared by CoDa Structures, dated 23<sup>rd</sup> April 2025)
- 8308 - Phase 1 Environmental Assessment (Prepared by CoDa Structures, dated 28<sup>th</sup> April 2025)
- 250104 - Preliminary Ecological Appraisal (Prepared by Witcher Wildlife Ltd Ecological Consultants, dated 24<sup>th</sup> January 2025)
- Climate Change Statement

## **History of Negotiations and Amendments Received**

In response to comments from the Councils Highways Development Management Team, additional drawings to demonstrate the full access from the adopted highway, including but not limited to visibility splays, on-site vehicular tracking for refuse and fire vehicles, and a turning head. The acceptability of the submitted details is discussed within the succeeding parts of this report.

## **Relevant Planning History**

The most relevant planning history relates to the following planning applications:

Ref: 2015/92583

Description: Erection of agricultural building

Decision: Full Conditional Permission (18.12.2015)

Ref: 2020/91513

Description: Agricultural notification for erection of building

Decision: Withdrawn (24.06.2020)

Ref: 2020/92212

Description: Prior notification for erection of agricultural building

Decision: Prior Approval Not Required (13.08.2020) (Not Implemented)

## **Representations**

Consultation for the application has been carried out in accordance with the Council's Development Management Charter 2024 and Article 15 of Town and Country Planning (Development Management Procedure) (England) Order 2015.

The application was publicised by way of site notice and via the Council's website. The statutory publicity period expired on 13<sup>th</sup> March 2025.

There were no letters of representation received.

## **Consultation Responses**

The following consultations have been undertaken for this application with the summarised responses listed below.

**The Mining Remediation Authority (Coal Authority) – No objection**, the authority note that the part of the site where the dwelling will be created lies outside the Development High Risk Area (DHRA) (i.e. Low Risk Area). Works associated with the creation of the new dwelling falling within the DHRA such as the access and parking area would not appear to require significant groundwork. An informative is recommended advising the applicant to contact the Coal Authority in the event that a suspected coal mining feature is encountered on site.

**KC Environmental Health Team – Predetermination Information Required**, the team note that the Council's mapping system identifies the site as potentially contaminated land due to historic sewage works, agricultural use by way of chemicals and machinery storage. The red line boundary includes land with a coal legacy. There are numerous quarries in the wider vicinity of the site that may have been infilled, and an historic gasometer is shown to the southwest of the site. Therefore, a Phase 1 and Phase 2, and where necessary Phase 3 Remediation Strategy is required before the application is determined.

**KC Lead Local Flood Authority – No objection**, there is no significant increase in drained area and therefore no increase in flood risk.

**KC Highways Development Team –** Within their initial response they state that further information is required regarding the sight lines from the access onto Lane Head Road or regarding emergency vehicle access. Following submission of further information KC Highways Development Team were further consulted on 01.07.2025 whereby they advised the sight lines are acceptable but the first 10m of the access is not shown to be hard paved to prevent loose materials being dragged out onto the highway.

**KC Ecology and Biodiversity Team – No objection**, the Preliminary Ecological Appraisal is acceptable and reasonable. A CEMP and lighting strategy should cover the recommendations for protected species. A condition for tree protection measures should be attached to the decision.

The responses of the above consultees are discussed in greater length within the 'Assessment' section of this report.

### **Allocation and Policy**

The site is allocated as Green Belt within the Kirklees local Plan (Adopted 2019)

The site is subject to the following planning policy designations and constraints:

- Inland watercourse (northwest to southeast)

- Potentially Contaminated Land (western side)
- Bat Alert Zone
- Development High Risk Area – Coal (to the north covering existing access/yard)
- Development Low Risk Area – Coal (to the south covering existing buildings)

The following legislation, policy and guidance is considered relevant to the determination of this application: -

#### *Kirklees Local Plan*

LP1 Achieving Sustainable Development  
 LP2 Place Shaping  
 LP3 Location of new development  
 LP7 Efficient and effective use of land and buildings  
 LP11 Housing Mix and Affordable Housing  
 LP20 Sustainable travel  
 LP21 Highway and Access  
 LP22 Parking  
 LP24 Design  
 LP28 Drainage  
 LP30 Biodiversity and Geodiversity  
 LP32 Landscape  
 LP52 Protection and Improvement of Environmental Quality  
 LP53 Contaminated and Unstable land

#### *National Policies and Guidance*

This application was submitted prior to the publication of the updated National Planning Policy Framework (December 2024), which came into effect on 12<sup>th</sup> December 2024. However, in accordance with national guidance, the application is assessed against the most up-to-date version of the NPPF.

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. In this case the Technical housing standards – nationally described space standard guidance document (dated March 2015) is considered to be of relevance

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 9 Promoting sustainable transport  
 Chapter 11 Making effective use of land

- Chapter 12 Achieving well-designed 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

### *Supplementary Planning Documents / guidance*

- Kirklees Highway Design Guide (adopted November 2019)
- Housebuilders Design Guide SPD (adopted June 2021)
- The Biodiversity Net Gain Technical Advice Note (June 2021)

### *Legislation*

- The Town & Country Planning Act 1990 (as amended).
- The Planning and Compulsory Purchase Act 2004.
- The Conservation of Habitats and Species Regulations 2017
- Biodiversity Net Gain Technical Advice Note 2021

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

## **Assessment**

### **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 favor of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

#### Principle of development within the Green Belt

Chapter 13 (Protecting Green Belt Land) of the National Planning Policy Framework (December 2024) sets out at Paragraph 142 that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their

permanence. The NPPF goes on to establish that the purposes of the Green Belt are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 153 states that *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness (footnote 55). Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘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”*.

#### Re-use of buildings

Paragraph 154(h)(iv) of the NPPF and Policy LP60 of the Kirklees Local Plan allows for the re-use of buildings in the Green Belt provided that they are of permanent and substantial construction and that openness is preserved. In this case, the existing building to be retained is a steel framed agricultural barn of lightweight construction to the northern elevation. While a structural report has been submitted suggesting that Outbuilding 2 is of permanent and substantial construction. The extent of the works required to fully enclose and convert the building would amount to significant rebuilding rather than re-use.

As demonstrated in the submitted structural report, the building is a steel framed structure with a roof formed from steel rafters supporting timber purlins. The roof covering consists of asbestos/cement sheeting, elevations are RHS framed steel mesh doors (north elevation), precast concrete panels at low level and vertical slated timber boarding at high level (southern and eastern elevation), while the western elevation was un-surveyed. The ground bearing slab is present in three of the buildings bays.

Although the applicants structural report concludes that the building is generally sound, it identifies a number of structural defects and recommends extensive intervention works. These include lowering of elevations to internal floor levels to reduce or eliminate the need for tanking, renewal of defected timbers, strengthening of existing timber purlins and eave beams with new members, replacement of corroded steel members, replacement of defected timber cladding and the installation of a new floor slab on insulation and a Damp Proof Membrane (DPM) as required. This demonstrates that the existing building does not comprise a self-supporting or weather tight structure without major rebuilding. As such, the existing Outbuilding 2 cannot be regarded as being of permanent and substantial construction for the purposes

of paragraph 154(h) (iv), and the proposal therefore fails to meet the threshold for this exception.

Accordingly, the proposal falls outside the scope of Paragraph 154(h) (iv) of the NPPF. However, the application of Paragraph 155 (Grey Belt) will be considered as a potential alternative policy route.

### Grey Belt Considerations

Paragraph 155 of the NPPF states that development in the Green Belt should not be regarded as inappropriate where:

- a) The development would utilise Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) There is a demonstrable unmet need for the type of development proposed (footnote 56);
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework (footnote 57); and
- d) Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157.

Annex 2 of the NPPF defines Grey Belt as:

*“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development”.*

To determine whether the land could be considered as Grey Belt, consideration should first be given to where or not the land strongly contributes to purposes (a), (b) or (d) set out in Paragraph 143 of the NPPF (December 2024). If the land does not strongly contribute to these purposes and is considered Grey Belt, then an assessment should follow as to whether development would fundamentally undermine the strategic function of the remaining Green Belt across the Local Plan Area as whole, as required by Paragraph 155 of the NPPF.

Planning Practice Guidance (PPG) published 27 February 2025 pertaining to Green Belt, sets out the considerations which inform the judgements on what level of contribution the site/land makes to the Green Belt purposes.

*Meeting Green Belt Purposes – Land (Paragraph 155a)*

The PPG confirms that purpose (a) – to check the unrestricted urban sprawl of built up areas, specifically relates to the sprawl of towns and cities, and the villages should not be considered large built up areas for this purpose.

The nearest town is Holmfirth, situated around 7km (4.4 miles) to the west of the site. The next nearest towns are Huddersfield to the northwest around 13.2km (8.2 miles), Barnsley to the east circa 17.4km (10.8 miles), and Dewsbury to the north circa 19km (11.8 miles) away from the land. Between the site and these towns are a number of intervening villages such as Shepley, Birdsedge and Denby Dale, which break up the landscape and prevent a physical or visual relationship between the site and a large built up area.

The site is located in open countryside and is physically and visually separated from surrounding towns. It does not form part of a settlement edge that would influence the outward spread of an urban area. On this basis, the land is considered to make only a weak contribution to Green Belt Purpose (a)– to check the unrestricted sprawl of large built-up areas.

The PPG confirms that purpose (b) - to prevent neighbouring towns from merging into one another, relates to the merging of towns not villages, and that the degree of contribution depends on whether development would erode visual separation between towns.

The site is a small parcel of land within a much wider swathe of Green Belt. It is already developed to a degree, with existing agricultural buildings, hardstanding, and a defined access from the adopted highway. The land is visually and functionally contained and is capable of development that would not affect wider landscape buffers and open fields. While the site forms part of the overall gap between settlements, its individual contribution to preventing the merging of towns is limited. On this basis, the site is assessed as making only a moderate contribution to Green Belt purpose (b). A well-considered redevelopment of the site in isolation would not materially affect the visual or perceived separation between towns or lead to any realistic sense of coalescence.

The land is not located within or adjacent to a historic town, nor does it contribute to the setting or character of any such settlements. On this basis, the site is considered to make no contribution to Green Belt Purpose (d) - to preserve the setting and special character of historic towns.

It is therefore considered that the land does not strongly contribute to any of the purposes in Paragraph 143 (a), (b) or (d) of the NPPF, nor do any exclusions under footnote 7 apply.

#### Meeting Green Belt Purposes – Development (Paragraph 155a)

As set out in the preceding Green Belt purpose assessment, the site makes only a weak contribution to Purpose (a), a moderate contribution to Purpose (b), and no contribution to Purpose (d). This indicates that the site forms a

small, visually and physically contained parcel of land within a wider area of Green Belt, and that its development would not undermine the Green Belt's ability to perform those purposes strategically over the plan area.

In respect of Purpose (c) (safeguarding the countryside from encroachment), the proposed development would utilise an existing developed site, re-using Outbuilding 2 and remaining largely within the footprint and built parameters of previous built form, with the addition of infills. The development would reduce the extent of existing hardstanding through the introduction of soft landscaping and formalise the access, however no additional encroachment into the surrounding countryside would occur as result. While the introduction of a large proportion of glazing and a residential use would inevitably result in some degree of domestication, the visibility would be constrained by the changes in topography particularly when viewed from Lane Head Road. The layout would see parking and amenity spaces close to the resultant building and in way that relates well to the site, without extending further activity into the Green Belt. Any future outward expansion can also be effectively controlled through the removal of permitted development rights, preventing incremental sprawl over time.

The red line boundary is noted to be large in this case, including land which is clearly open countryside. It is considered that control of the extent of the curtilage in terms of its treatment is required to prevent unacceptable development occurring which detrimentally impacts upon openness of the Green Belt. Conditions requiring submission of boundary treatments and a scheme of landscaping would be imposed which, when coupled with a condition removing permitted development rights, would ensure that adequate control of the land within the red line boundary can be achieved such that it would not have a significant impact in this regard.

On this basis, although there would be some localised visual change, the proposal would not result in material encroachment or fundamentally undermine the purposes of the Green Belt taken together across the plan area, The proposal therefore satisfies Paragraph 155(a) of the NPPF (2024).

#### *Demonstrable Unmet Need (Paragraph 155b)*

With regards to Paragraph 155 (b), Kirklees currently has a 3.96-year housing land supply, which falls below the required five-year supply. The 2022 Housing Delivery Test results also indicate under-delivery with only 67% of required housing being delivered. This shortfall is a material consideration and supports the principle of development on Grey Belt land. The proposed development would contribute to addressing housing need within Kirklees through the delivery of a new family sized dwelling. The supporting information indicates an intention to deliver a single self-build dwelling, that would make a small but positive contribution to local housing stock. While limited in scale, it nonetheless engages this policy test and meets the requirements of Paragraph 155(b).

#### *Sustainable Location (Paragraph 155c)*

Paragraph 155(c) requires that the site is in or can be made a sustainable location. The site is situated approximately 0.48km south of Shepley, 1.6km north of Birdsedge, and around 4km west of Denby Dale, with Holmfirth approximately 7km to the west. Shepley is the nearest Local Centre, offering a range of local amenities including a railway station, primary school and convenience shops. The site is located within a 13 minute walk ( 1 minute drive) of Shepley, 8 minute - 12 minute drive of surrounding villages and circa 15 minute drive to Holmfirth Town Centre which provides access to a wider range of services.

The site is also within a 5 minute walk from bus stops on Penistone Road/Lane Head Road, which provide hourly bus service towards Wakefield and Holmfirth, in addition to a school bus services towards Kirkburton Middle School/Shelley. It is recognised that future occupants of the dwelling would be reliant on the use of private vehicles for most day-to-day journeys, however, the proposal would remain within reasonable distances from local services and facilities, as such it could be considered that the site is moderately sustainable.

Taking into account the sites rural setting, the site proximity to local facilities and services, and the limited scale of development, it is considered that the development would be in a reasonably accessible and sustainable location for the purposes Paragraph 155c of the NPPF.

#### Principle of development – Conclusion

The land makes a weak to moderate contribution to Green Belt purposes (a), (b) and (d) due to its small scale and previously built nature. While the change of the land to residential use would result in domestication through additional glazing and associated activity, the scale, massing and footprint of the development would remain similar to existing structures. Parking and amenity space would be well related appropriately with the building. The proposal dwelling would be well confined to previously built areas of the site, safeguarding the wider countryside from encroachment.

There is a demonstrable unmet need for housing in the borough due to the lack of a five year housing land supply, and the site is in a reasonably sustainable location, being a short walk from Shepley and, acceptable driving distances from other villages and centres.

Taking these factors together, the proposal is considered to fall within the exception set out at Paragraph 155 of the National Planning Policy Framework and is acceptable in principle. As a single dwelling Paragraph 155(d) is not applicable.

#### Principle of Housing Development

The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test

(HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development.

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.”

The Council’s inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal.

Policy LP3 of the Kirklees Local Plan is also of relevance insofar as it requires development to deliver homes in a sustainable way.

The principle of development within the Green Belt has been accepted in this case. The proposal would introduce a single dwellinghouse, contributing modestly to local housing supply.

Given the acknowledged housing land shortfall, the scheme is considered to support the strategic aims of Policies LP1, LP2 and LP3 of the Kirklees Local Plan, subject to detailed assessment against remaining material planning considerations and policies.

## **2. 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 all 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. Of key importance,

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: the form, scale, layout and details of all

development respects and enhances the character of the townscape, heritage assets and landscape.

Given the Green Belt context, the proposal has already been assessed as Grey Belt land. Footnote 55 clarifies that harm to the green belt includes harm to its openness but also acknowledges that this does not apply in the context of previously developed land, or grey belt land where development is not inappropriate. As the proposal falls within the scope of Paragraph 155 (“Grey Belt”), it is considered that the proposal would not, by definition, amount to inappropriate development or cause harm to openness.

Therefore, the key consideration shifts to specifically whether the scheme demonstrates compliance with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the NPPF and relevant SPDs.

The site currently accommodates a two storey outbuilding (approx. 5.5m ridge) and a series of single storey outbuildings arranged in an L-shape. Levels fall down from Lane Head Road (east) into the site, then rise slightly again westwards, they also dip towards the site from the south before rising back up towards the dwellings close to Holmfirth Road. As a result, the site sits in a slight bowl, is lower than the highway to the east and benefits from natural containment from the topography. Public views from Lane Head Road are filtered and oblique because of the higher carriageway level, with longer distance views broken by intervening topography and vegetation.

#### Layout, Scale and massing

The proposal retains the two storey element at the similar 5.5m height, as existing outbuilding 2. The remaining single storey buildings would be demolished and replaced by a single storey element no higher than the tallest existing single storey building. The width of the two storey element would match that of outbuilding 2, while the single storey element would have a width of circa 7.2m. The consolidated form would generally follow the footprints and form of the existing structures, infilling gaps between the previous structures and retaining a comparable position within the site. In doing so, the proposal would also be read against lower ground levels, which further reduces perceived bulk.

The proposal would formalise the existing access alignment rather than creating a new route. Parking and amenity spaces would be contained to the front of the dwelling and would be reasonably tight to the building, with an appropriate balance of paved and soft landscaping areas, which would soften the overall appearance of the site in when compared to the dominance of hard landscaping in this section of the site. It is recommended that a condition is attached to the decision to secure a comprehensive landscaping scheme (including native boundary planting/hedgerows) to reinforce landscape character. A further condition is recommended to agree boundary treatments to ensure appropriate solutions in this rural context.

## Detailed Design

The proposal would be of a simplistic and contemporary rural design. External materials would comprise vertically treated timber boarding to upper sections (including the single storey element), a rendered plinth wall with dark brick string course features. Openings would be powder coated aluminium large, glazed doors at ground floor with windows at first floor. The east elevation would include a two storey glazed gable. The south and west elevations would be absent of any openings, which would assist in retaining a rural character and limit visual clutter. The main entrance would be legible via a composite entrance door framed by glazed side lights, forming part of a clear north facing principal elevation. The sliding full height doors to bedrooms within the single storey element would fit well within the low eaves height, while unconventional for a barn context, they would appear visually recessive within the wider composition.

The extent of glazing (particularly to the east gable and north elevation) is likely to increase daytime reflectivity and evening luminance. On this site, some of those effects would be tempered by the surrounding topography, with the site sitting below Lane Head Road and by the blank south and west elevations. While internal lighting cannot be directly controlled, it is recommended that the visual effects associated with glazing be managed through appropriate specification and design. It is recommended that the east gable, being the most prominent element overall, is subject to a condition requiring details of the glazing specification, including reflectivity, recessing and frame colour, to ensure it reduces undue glare in the rural context. This approach would allow the domestic character of the dwelling to be softened while maintaining the buildings contemporary rural design.

## Conclusions on visual amenity

The proposal would introduce a consolidated form of built development but would remain comparable in overall height, scale and massing to the existing outbuildings, siting well within the site's natural topography and landscape setting. Public views from Lane Head Road are limited and oblique due to the higher carriageway level and surrounding vegetation, which provides a degree of visual containment. While the scheme incorporates a greater degree of glazing than existing, particularly on the east and north elevations, the impacts can be effectively mitigated through glazing specification and a robust external lighting strategy to minimise reflectivity and light spill. Material choices are simple, reflecting the rural vernacular, and boundary landscaping can be secured by condition to soften the site's appearance. Taken together, these measures ensure the proposal would preserve the visual amenities of the Green Belt, and respect the site's rural setting, in accordance with Policies LP1, LP2 and LP24 of the Kirklees Local Plan.

### **3. Impact on Residential Amenity**

Sections B and C of LP24 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 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Principle 6 of the House Builders 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 this principle states that:

*“For two storey houses typical minimum separation distances are advised:*

- *21 metres between facing windows of habitable rooms at the backs of dwellings;*
- *12 metres between windows of habitable rooms that face onto windows of a non-habitable room;*
- *10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.”*

Principle 17 of the Council’s adopted House Builders Design Guide Supplementary Planning Document (SPD) requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Principle 16 of the Housebuilders Design Guide seeks to ensure the floorspace of dwellings accords with the ‘Nationally Described Space Standards’ document (March 2015).

### Neighbouring Amenity

The proposed dwelling is not considered to result in any material harm to the amenity of neighbouring properties due to its considerable separation distances and site topography. The site is located circa 104m from the nearest residential properties (Highfield Court) to the south and 114m from the nearest residential properties (Lane Head Road) to the east. To the north and west, the site transitions into open countryside, meaning that there are no immediate residential receptors in those directions. Given these factors, the proposal is not considered to cause detrimental harm to the amenity of existing residents and aligns with the objectives of Local Plan Policy LP24 and the Housebuilders Design Guide SPD regarding residential amenity.

### Amenity of future occupiers

The Nationally Describe Space Standards (NDSS) set out minimum internal space requirements to ensure that new dwellings provide an adequate

standard of living for future occupants. Similarly, Principle 16 of the Kirklees Housebuilders Design Guide SPD emphasizes the importance of providing high quality internal living expectations and contribute to a sustainable housing stock.

The proposed dwelling would have a Gross Internal Area (GIA) of approximately circa 511sqm comprising six double bedrooms, an open plan living/kitchen/dining space, and associated non-habitable spaces such as bathrooms and storage. Based on the NDSS, a two storey dwelling with six bedrooms for 8 people should have a minimum GIA of 132sqm, including 4sqm of built-in storage. This proposal significantly exceeds the minimum space requirement, ensuring a high standard of internal living accommodation.

The dwelling would be considered single aspect, with outlook, daylight and sunlight primarily afforded to the majority of rooms from a north orientation. The proposed plans indicate primary private amenity space on the northern section of the site. It is considered that the resultant quantity and quality of amenity space would be sufficient for the use by future occupiers.

#### *Conclusion on residential amenity impacts*

The proposed development demonstrates an acceptable relationship with neighbouring properties, provides adequate internal space and maintains a good standard of amenity for future occupiers. The proposal therefore complies with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF 2024.

#### **4.Highways Safety**

Policies LP21 and LP22 of the Kirklees Local Plan, The Council's adopted Highway Design Guide are relevant. Principles 12 and 19 of the Housebuilders design guide which seek to ensure acceptable levels of off-street parking, adequate waste storage facilities are provided, are also considered to be of relevance.

#### Access and Parking

The proposal would utilise the existing access from Lane Head Road, with a private access track extending approximately 142m into the site. The initial consultation response from the Highways Development Management Team (HDM) raised several concerns, including the absence of information on sight lines, emergency vehicle access, refuse vehicle turning and construction details for access.

In response, the applicant submitted additional plans including access arrangements for emergency and refuse vehicles by way of a turning head, along with associated vehicular tracking details. Sight line drawing were also provided demonstrating visibility splays of 2.4m x 120m in both directions,

which accords with the 40mph speed limit along this section of Lane Head Road. Highways officers have confirmed that the sight lines are acceptable.

The internal access arrangements and turning head are sufficient to accommodate refuse and emergency vehicles, and four off-street parking spaces are proposed within the site. The layout ensures that vehicles can both enter and exit in forward gear. While matters regarding surfaces were not adequately addressed, it is considered that it would be reasonable to include a condition to ensure that the first 10m of the access from Lane Head Road is hard paved to prevent loose materials being dragged onto the highway.

### Waste

The proposed dwelling would be accessed via a private track circa 142 meters in length. Standard guidance advises that drag distance for domestic wheelie bins should not exceed approximately 25m. As such, suitable arrangements are required to ensure that waste can be presented for collection in a safe and convenient location close to the highway, or through appropriate private collection arrangements. A condition is therefore necessary to secure details of bin storage and collection prior to occupation of the dwelling. This will ensure the development is serviced effectively without causing obstruction to the highway or harm to the amenity of future occupants. Subject to this condition, the proposal is considered to accord with Policy LP24 of the Kirklees Local Plan.

### Conclusion on Highway Safety

The proposal provides acceptable access arrangements from the adopted highway and adequate on-site parking. Suitable waste storage and presentation arrangements can be secured by condition. Subject to the conditions outlined above, the development is considered acceptable in terms of access, servicing and waste management, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, the Council's adopted Highway Design Guide, and Principles 12 and 19 of the Housebuilders Design Guide SPD and Chapter 9 of the National Planning Policy Framework.

## **5. Ground Conditions**

Chapter 15 of the NPPF promotes safe and healthy living environments and requires that land contamination and other environmental constraints are considered and mitigated as part of the planning process.

Policies LP51 and LP53 of the Kirklees Local Plan seek to ensure that development does not cause, or results in exposure to, pollution or environmental risks that would be harmful to human health or the environment. These policies require developments to be appropriately assessed and, where necessary, remediate to ensure that sites are suitable for their intended use.

### Contaminated Land

The site is located on potentially contaminated land due to its historic uses, including proximity to a former sewage works, historic agricultural activity, and coal legacy features in the wider area. These factors could give rise to the potential for contamination/and or ground gas.

A Phase 1 Preliminary Risk Assessment has been submitted in support of the application. This identifies potential contamination sources and recommends that further site investigations are undertaken to assess risks to human health and the environment. Given the sites history and the recommendations set out in the submitted assessment, it is considered appropriate to impose conditions requiring the submission and approval of a Phase 2 Intrusive Site Investigation Report, and where necessary Remediation Strategy, and Validation Report. These conditions will ensure that any contamination risks are properly investigated and mitigated prior to the commencement of development.

On this basis, subject to conditions, the proposal is considered acceptable with respect to contaminated land, in accordance with Policy LP53 of the Kirklees Local Plan and Paragraphs 196 and 197 of the NPPF.

### Coal Mining

Part of the site lies within a Development High Risk Area as defined by The Coal Authority (The Mining Remediation Authority), where historic unrecorded underground coal mining activity is likely to have occurred at shallow depth. The Coal Authority has reviewed the application and confirmed that while the northern portion of the site falls within the High-Risk Area, the part of the site where the new dwelling is to be created lies within the Low-Risk Area. Works associated with the access and parking area fall within the High-Risk Area but are not considered to involve significant groundworks.

On this basis, the Coal Authority does not consider a Coal Mining Risk Assessment necessary in this instance and raises no objection to the proposal. However, they have recommended an informative be attached to any permission to alert the developer to the potential for unrecorded shallow mine working and the need to contact the Coal Authority should any features be encountered on site.

The proposal is therefore considered acceptable with regard to coal mining legacy issues and accords with Policy LP53 of the Kirklees Local Plan and Paragraphs 196 and 197 of the NPPF.

## **6. Flood and Drainage**

Chapter 14 of the NPPF seeks to direct development away from areas at risk of flooding and ensure that new development does not increase flood risk elsewhere. It also requires that surface water is managed using SuDs where possible and, that developments are supported by appropriate drainage infrastructure, taking into account ground conditions and pollution risk.

Policy LP28 of the Kirklees Local Plan reflects these national objectives, requiring all new development to incorporate appropriate foul and surface water drainage arrangements, including SuDs where feasible, and to ensure that any such infrastructure does not increase flood risk or lead to pollution on or off site.

The site is not located within Flood Zones 2 or 3 and is therefore not at significant risk of fluvial flooding. The Lead Local Food Authority (LLFA) reviewed the submitted details and confirmed that they support the application, raising no objection and recommending no drainage conditions. This is on the basis that it is not expected that the development would result in a material increase in surface water run-off or flood risk.

It is noted that an in-land watercourse runs through the wider site within the red line boundary. It is recommended that an informative is attached to the decision, outlining that any works involving diversion or obstruction of this watercourse would require separate Land Drainage Consent from the LLFA. This would be dealt with under separate legislation and does not affect the planning assessment of the scheme.

As such, it is considered that the proposed approach to drainage would meet the aims of Policy LP28 of the Kirklees Local Plan and the objectives of Chapter 14 of the NPPF.

## **7. Biodiversity and Ecology**

The Biodiversity Net Gain (BNG) Technical Advice Note provides local context on implementing BNG and reflects the statutory requirement introduced by the Environment Act 2021, which mandates a minimum 10% biodiversity net gain for most developments.

Chapter 15 of the NPPF (December 2024) seeks to protect and enhance the natural environment by securing measurable biodiversity net gains, safeguarding irreplaceable habitats, and ensuring that harm to biodiversity is avoided, mitigated or, only where absolutely necessary, compensated.

Policy LP30 of the Kirklees Local Plan seeks to ensure that development proposals protect and enhance the natural environment. This includes safeguarding species and habitats of principal importance, avoiding significant harm to biodiversity, and securing measurable biodiversity net gains wherever possible.

### *Biodiversity*

With regards to Biodiversity Net Gain (BNG), the submitted application form outlines that the development is self-build, which falls within the exemptions to the mandatory Biodiversity Net Gain requirements set out in Schedule 7A of the Town and Country Planning Act 1990 (as amended). The Council's Ecology team has confirmed that this position is accepted.

Notwithstanding this, there remains a general duty under Policy LP30 to secure biodiversity enhancements where possible. Albeit limited in detail at this stage, the proposal includes the introduction of new soft landscaping and boundary planting around the building and parking areas, which would provide some biodiversity benefit on site. Further details are to be secured through an appropriately worded landscaping condition.

### *Ecology*

A Preliminary Ecological Appraisal (PEA) has been submitted in support of the application. The Councils Ecology Officer has reviewed the assessment and confirmed that it is acceptable. The site comprises existing agricultural buildings and associated hardstanding, with no statutory or non-statutory ecological designations. However, the appraisal identifies the potential presence of bats, birds, amphibians and badgers, as well as mature trees within and adjacent to the site.

Ecology officers have recommended conditions to secure a Construction Environmental Management Plan (CEMP: Biodiversity), a sensitive lighting strategy, and appropriate tree and hedgerow protection during the construction phase. These measures will ensure that works are undertaken in a manner that avoids harm to protected species and habitats, and that opportunities for enhancement are delivered through native landscaping and boundary planting.

### *Conclusions on Biodiversity and Ecology*

Subject to securing landscaping, a lighting strategy, tree and hedgerow protection measures, and a CEMP, the proposal would avoid harm to protected species and habitats. The scheme qualifies for a self-build exemption from mandatory BNG but includes soft landscaping that would provide modest ecological enhancement. The proposal is therefore considered acceptable in ecological terms and compliant with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the NPPF.

## **8. 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 applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Policy LP24(d) of the Kirklees Local Plan requires developments to promote sustainable design and construction by minimizing resource use and carbon emissions, and by incorporating measures that reduce the environmental impact of buildings, including energy and water efficiency.

Policy LP26 further supports this by encouraging development that contributes to climate change and adaptation through layout, design, orientation, and use of low-carbon technologies.

The application is supported by a Climate Change Statement, which confirms that the development would incorporate increased insulation levels above Building Regulations requirements, high performance glazing, and natural ventilation through openable windows. Construction materials will be sourced locally and undertaken by local trades, helping to reduce embodied carbon. The proposal also include the provision for electric vehicle charging points and water butts to support water conservations.

While the measures are relatively modest, they reflect a proportionate approach to the scale and nature of the development. Taken together, these measures demonstrate a proactive approach to addressing climate change and align with the aims of Chapter 14 of the NPPF, Policies LP24(d) and LP26 of the Kirklees Local Plan and the wider aims of the Council.

## **9. Other Matters**

### *Pre-commencement conditions*

In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant was notified of the intention to impose these conditions and provided with an opportunity to comment and confirmed their agreement in writing on 29<sup>th</sup> October 2025. The conditions are therefore considered reasonable, necessary, and compliant with the relevant legislation.

## **10. Representations**

There were no letters of representation received.

## **11. 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 material considerations. It is considered; the proposed development would constitute sustainable development and is therefore recommended for approval.

**Recommendation**

**APPROVE**

## Decision Authorisation: Delegated Powers

**Application Number: 2025/91291**

**Officer Recommendation: CONDITIONAL FULL PERMISSION**

### Conditions

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 specifications 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, LP7, LP20, LP21, LP22, LP24, LP28, LP30, LP32, LP52 and LP53 of the Kirklees Local Plan, Chapters 2, 4, 5, 9,11, 12, 13,14 and 15 of the National Planning Policy Framework, and Principles 2, 5, 6, 9, 12, 13, 14, 15, 16, 17, 18 and 19 of the Housebuilders Design Guide SPD.
3. Prior to above grade works commencing, material samples of all external facing materials to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given. **Reason:** In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used and achieve a quality of design and detailing in accordance with Policy LP24 of the Kirklees Local Plan, the Kirklees Housebuilders Design Guide Supplementary Planning Document and the aims of Chapter 12 and Chapter 13 of the National Planning Policy Framework 2024.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2025 (or any order revoking and re-enacting that order with or without modification), no development shall take place within the curtilage of the dwellinghouses hereby approved which falls within Schedule 2, Part 1, Classes A, AA, B,C,D,E,F and/or Schedule 2, Part 2 Classes A and B without the prior written consent of the Local Planning Authority.  
**Reason:** In the interest of visual amenity and so as to preserve the openness of the Green Belt and the character of the dwelling in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 and 13 of the National Planning Policy Framework.

5. No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
  - a) Summary of potentially damaging activities
  - b) Identification of "biodiversity protection zones"
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements)
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. **Reason:** In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

6. Development 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. 196 and 197 of the National Planning Policy Framework 2024.
7. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 6. 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. 196 and 197 of the National Planning Policy Framework 2024.

8. 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. 196 and 197 of the National Planning Policy Framework 2024.

9. A Hedgerow and Tree Protection Plan detailing measures for the protection of trees and hedgerows during the works will be submitted to and approved by the LPA prior to the commencement of works on site, including site clearance and delivery of materials. Hedgerow and tree protection measures will include temporary fencing for the protection of hedgerows in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations. Any alternative fencing type or position not in accordance with BS 5837:2012 will be agreed in writing by the LPA prior to the start of development. The root protection fencing will define the works exclusion zone around hedgerows and trees. Activities liable to be harmful to hedgerows and trees are prohibited within this exclusion zone, unless agreed in writing with the LPA. The approved hedgerow and tree protection measures will remain in place until the completion of development or unless otherwise agreed in writing with the LPA.

**Reason:** In the interests of biodiversity and in accordance with Policy LP30 and Chapter 15 of the National Planning Policy Framework.

10. Prior to the installation of any external lighting, a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), has been drafted and agreed with the council. The Sensitive Lighting Strategy will demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented, subject to any variations approved in writing by the planning authority. All external lighting shall be installed strictly in accordance with the specifications and locations set out within the Lighting Strategy.

**Reason:** In the interests of biodiversity and in accordance with Policy LP30 and Chapter 15 of the National Planning Policy Framework 2024.

11. Prior to the first occupation of the development hereby approved, a scheme detailing the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the works comprising the approved scheme have been completed and thereafter retained for the lifetime of the development.

**Reason:** In the interests of visual amenity and securing a high standard of design, in accordance with Policy LP24 of the Kirklees Local Plan, Principle 8 of the adopted Housebuilders Design Guide Supplementary Planning Document, and Chapter 12 of the National Planning Policy Framework 2024.

12. Prior to the first occupation of the development hereby approved, details of waste storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The details shall identify either a bin storage and/or presentation point near the adopted highway or an appropriate private waste collection arrangement capable of servicing the dwelling from within the site, together with any associated screening or enclosure. The approved arrangements shall be implemented prior to first occupation and retained thereafter.

**Reason:** To ensure suitable waste storage and collection arrangements are secured in the interests of residential amenity and highway safety, in accordance with Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the National Planning Policy Framework.

13. Other than the first 10 metres of the access from the edge of the adopted highway the development hereby approved shall not be brought into use until all areas to be hard surfaced for access and parking have been and out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. These areas shall be so retained, free of obstructions and available for access and parking.

**Reason:** In the interests of visual amenity, highway safety and to mitigate flood risk. To accord with Policies LP21, LP22, LP24 and LP28 of the Kirklees Local Plan.

14. The development hereby approved shall not be brought into use until visibility splays of 2.4 meters by 120 meters in both directions from the access onto Lane Head Road have been provided. The splays shall thereafter be retained free from obstruction exceeding 1 metre in height above carriageway level for the lifetime of the development.

**Reason:** In the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan and Chapter 10 of the National Planning Policy Framework 2024.

15. Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, available rooting space, tree pits, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the equivalent stem girth and species in the first suitable planting season. All areas of soft landscaping approved by this condition shall be retained as soft landscaping thereafter.

**Reason:** To ensure that there is a well laid out scheme of healthy trees, hedgerows and shrubs in the interests of amenity, providing biodiversity measures and mitigating impact upon openness of the Green Belt to accord with policies LP24 and LP30 of the Kirklees Local Plan, principles 7 and 9 of the Housebuilders Design Guide and policies within Chapters 12, 13 and 15 of the National Planning Policy Framework.

16. Notwithstanding the submitted plans, prior to the installation of any external glazing to the building hereby approved, full details of the glazing specification shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Glazing reflectivity specification;
- The colour, finish and material of window and door frames; and
- Details of frame recessing within openings.

The glazing shall be installed in accordance with the approved details and retained thereafter.

**Reason:** To avoid excessive glare and light spill that may harm the character and visual amenity of the surrounding area, in accordance with Policy LP24 of the Kirklees Local Plan and Chapters 12 and 13 of the National Planning Policy Framework.

17. The first 10 metres of the access from the edge of the adopted highway shall be surfaced and drained in a sealed and bonded material, prior to the development being brought into use. The surfaced area shall thereafter be retained, maintained, and kept free of loose material for the lifetime of the development. **Reason:** In the interests of highway safety and to prevent loose material being dragged onto the public highway, in accordance with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

**NOTE:** The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

**NOTE:** 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:** 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.

Plans and specifications schedule: -

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed Drawing Revised Location Plan	P949 11		06/02/2025
Existing Drawing Outbuilding 1 and 3	P949 04	A	15/11/2024
Existing Drawing Outbuilding 2	P949 05	A	15/11/2024
Existing Drawing Outbuilding 4	P949 06	A	15/11/2024
Existing Drawing Site Plan	P949 09	A	15/11/2024
Proposed Drawing Access Details	P949 12		02/05/2025
Proposed Drawing Floor Plan	P949 07	A	15/11/2024
Proposed Drawing Elevations	P949 08	A	15/11/2024
Refuse Vehicle & Fire Tender Tracking	8308-CoDA-SW- XX-DR-C-002	P02	12/06/2025
Site Access – 2.4m x 120m Visibility Splays	8308-CoDA-SW- XX-DR-C-003	P01	12/06/2025
Phase 1 Environmental Assessment	8308		02/05/2025
Appendix E Historic Ordnance Survey Plans Phase 1 Environmental Assessment	8308		02/05/2025
Appendix F Mining Report Phase 1 Environmental Assessment	8308		02/05/2025
Visual Structural Survey Of Outbuilding 2			02/05/2025
Preliminary Ecological Appraisal	250104		03/02/2025
Climate Change Statement			03/02/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2024 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. The scheme was amended during the course of the application, to address highways safety impacts Revised plans sought to demonstrate that adequate site lines from the proposed access onto Lane Head Road could be achieved and to ensure a bin collection/storage points are identified.

**Report Dated:**

30 <sup>th</sup> October 2025
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