

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:	2025/62/90354/W
Site Address:	Parkwood Mill, Stoney Lane, Longwood, HD3 4ZQ
Description:	Conversion of lower ground floor mill 6 and 7 to 7 residential apartments (Listed Building within a Conservation Area)
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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 20 February 2026

Officer Report – 2025/90354

Parkwood Mill, Stoney Lane, Longwood, HD3 4ZQ

Site Description

The application site comprises Mill 6 and 7 at Parkwood Mills, a four storey Grade II listed former woollen mill located on the northeastern side of Grove Street, within the Longwood Edge Conservation Area. The building forms part of a larger historic mill complex dating from the mid to late 19th century and is constructed in coursed local gritstone with slate roofs.

The site is bounded to the north/northeast by Spark Street Recreation Ground (Longwood Rec) along with residential properties on Prospect Road, to the south/southeast by residential properties on Grove Nook and Stoney Lane, to the south/southwest by the wider Parkwood Mill complex and to the west/northwest by residential properties on Parkland Avenue and Lee Side Gardens.

The site is subject to the following designations and constraints:

- Longwood Edge Conservation Area
- Grade II Listed Building (ref 1096026)
- Potentially Contaminated Land
- Historic Landfill Buffer 200m – 250m
- Development Low Risk (Coal)
- Bat Roost Record (Parkwood Mills)
- Bat Alert Zone

Description of Proposal

The Scheme

The proposal seeks planning permission for the conversion of the lower ground floor of Mill 6 and 7 to provide 7 residential flats. The development involves the change of use of the previously approved ground floor car parking area (under ref 2005/93391), together with associated amenity space to the north of the building incorporating a communal garden and car parking areas associated with the residential use, off Grove Street and Parkland Avenue. The scheme includes limited external alterations to the existing building, primarily the conversion of existing window openings to doorways and the installation of new windows to existing openings in all elevations in addition to single storey glazed entrance foyer to the northeastern elevation.

History of Negotiations / Amendments Received

During the course of the application, officers requested additional information in response to consultation comments from the Highways Development Management Team, Tree Officers and Ecology Officer. The additional

information submitted included a Transport Statement, updated Biodiversity Net Gain information and Arboricultural information. These details have been assessed accordingly within the body of this report.

Relevant Planning History

There relevant planning history is as follows:

COMP/26/0005 - Unauthorised development on bottom floor (flats) – Open

2024/93221 - Erection of 5 dwellings and associated works (within a Conservation Area) – Refused 11th August 2025

Reasons for Refusal:

1. The proposed development would further exacerbate existing on street parking demand in the locality having a detrimental resultant impact upon the functioning of the highway. The development would have an unacceptable impact upon highway safety as a result of additional on street parking contrary to policies LP21 and LP22 of the Kirklees Local Plan and policies contained within Chapter 9 of the National Planning Policy Framework.
1. As a result of the proximity of the development to existing trees, the development would threaten the viability of trees of significant amenity, including protected trees. This would lead to a high likelihood of tree loss to the detriment of the visual amenity of the locality. This would be contrary to Policies LP24(j) & LP33 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.
2. As a result of the level of shading that would be experienced by occupiers of the dwellings, the development is not considered to afford an acceptable standard of natural light for future occupiers contrary to Policy LP24(b) of the Kirklees Local Plan, principle 6 of the Housebuilders Design Guide and policies contained within Chapter 12 of the NPPF

2005/93391 – Demolition of mill buildings, conversion of existing mill buildings to 159 apartments and 7 houses. erection of 4 houses and 24 apartments with car parking and associated works (listed buildings within a conservation area) – Conditional Full Permission 22nd December 2005

2005/93392 – Listed building consent for demolition of mill outbuildings and conversion of mill buildings to 166 apartments/dwellings (within a conservation area) – Consent Granted 13th July 2006.

2003/94668 – Listed Building Consent for demolition of part of Mill – Consent Granted 8th March 2004

2003/93173 – Change of use and refurbishment of mill buildings to 94 dwelling units. outline application for erection of 21 dwellings and 9 apartments including demolition works (listed building within a conservation area) – Conditional Full Permission 11th May 2004.

93/04852 – Outline application for erection of one dwelling and parking space – Refused 7th December 1993 and subsequently dismissed at appeal.

93/04810 – Engineering Works and formation of Car Park – Conditional Full Permission 26th November 1993

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (December 2024).

The application has been publicised as a on the Council's website, press notice and site notice. The expiry date of the publicity period was the 1st April 2025.

There were no public letters of representation received.

Consultation Responses

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

KC Ecology Officer (Written Comments) – No Objection. The submitted PEA and bat surveys are acceptable. Bat activity has been recorded, and an EPS license will be required, together with appropriate mitigation and a sensitive lighting scheme. Biodiversity Net Gain applies; a BNG metric has been submitted but does not fully meet the trading rules due to a small scrub shortfall. This can be addressed through a Habitat Management and Monitoring Plan and, if necessary, off-site provision. Conditions are recommended to secure a CEMP (Biodiversity), hedgerow and tree protection and a lighting strategy.

KC Highways Development Management (Written Comments) – No objection, subject to conditions. The proposed development utilises existing vehicular arrangements, with minor modifications to the existing dropped kerb access. As the changes to the access would be minimal, a Road Safety Audit is not required. Any alterations to the access shall be carried out under a Section 184 agreement with the Local Highway Authority. The proposed parking provision is marginally below requirements, however, having regard to local car ownership levels, the anticipated parking demand is considered acceptable on balance. While some overspill parking may occur, this would not result in a highway safety objection.

KC Trees (Written comments) – No objection. Following submission of the Arboricultural Impact Assessment, the proposal is acceptable. The removal of

G1 and T4 (Category C trees) is justified, and any encroachment into retained trees RPAs is appropriately mitigated. A condition is recommended requiring the submission of a final Arboricultural Method Statement.

Historic England (Written Comments) - No Comment.

Environmental Health Team – No objection, subject to conditions in relation to the submission of a noise assessment and mitigation scheme, investigation and remediation of potential land contamination, and controls on any imported materials.

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

Allocation and Policy

The site is not allocated within the Kirklees Local Plan (adopted 2019).

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

Kirklees Local Plan

- LP 1 – Achieving Sustainable Development**
- LP 2 – Place Shaping**
- LP 3 – Location of New Development**
- LP 7 – Efficient and Effective Use of Land and Buildings**
- LP 20 – Sustainable Travel**
- LP 21 – Highway Safety**
- LP 22 – Parking Provision**
- LP 24 – Design**
- LP 28 – Drainage**
- LP 30 – Biodiversity and Geodiversity**
- LP 33 – Trees**
- LP35 – Historic Environment**
- LP 51 – Protection and Improvement of Local Air Quality**
- LP 52 – Protection and Improvement of Environmental Quality**
- LP 53 – Contaminated and Unstable Land**

National Policies and Guidance

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

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 12 – Achieving Well-Designed Places
Chapter 14 – Meeting the Challenge of Climate Change, Coastal Change and Flooding
Chapter 15 – Conserving and Enhancing the Natural Environment
Chapter 16 – Conserving and Enhancing the Historic Environment

Supplementary Planning Documents and Guidance

Kirklees Highways Design Guide SPD (2019).
Waste Management Design Guide for New Developments (Version 5, October 2020).
Kirklees Biodiversity Net Gain Technical Advice Note (2021).
Kirklees Housebuilders Design Guide SPD (2021).
Waste Management Design Guide for New Developments (October 2020)

Legislation

The Town & Country Planning Act 1990 (as amended).
Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
The Planning and Compulsory Purchase Act 2004.
Section 17 of the Crime and Disorder Act 1998 (as amended)
Wildlife and Countryside Act 1981 (as amended)
The Conservation of Habitats and Species Regulations 2017
Environment Act 2021
Town and Country Planning (Tree Preservation) (England) Regulations 2012

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.

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of

preserving the building or its setting or any features of a special architectural or historic interest which it possesses’.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Visual amenity and heritage impacts
2. Impact upon residential amenity
3. Impact upon highway safety
4. Ecology and Biodiversity
5. Pollution Control
6. Climate Change
7. Other Matters
8. Representations
9. 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 assessment. 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.

Housing Matters

The 2025 update of the five-year housing land supply position for Kirklees shows 4.18 years supply of housing land, and the 2023 Housing Delivery Test (HDT) measurement which was published on 12/12/2024 demonstrated that housing delivery for Kirklees for the past three years (April 2020-March 2023) has fallen below the 75% pass threshold.

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.

Policy LP7 of the Kirklees Local Plan supports the efficient and effective use of land and buildings including the re-use of previously developed land, underused properties, priority to despoiled, degraded, derelict and contaminated land, particularly in a sustainable location and if it is not of high environmental value.

The proposal involves the conversion of an existing lower ground floor car parking area within a Grade II listed mill building to provide seven residential units. The development represents the re-use of existing built form in a predominately residential area and is acceptable in principle, subject to there being no unacceptable impacts in terms of parking, highway safety, residential amenity, heritage significance and other material planning considerations.

The provision of additional housing carries positive weight in the planning balance, particularly in light of the Council’s current position regarding its five-year housing land supply. On this basis, the principle of the development is acceptable, subject to the detailed matters considered in the remainder of this report.

2. Visual Amenity and Heritage Impacts

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.

Paragraphs 134 and 135 of the NPPF set out the requirements for high quality, beautiful and sustainable buildings, and places. Paragraph 137 states that planning decisions should ensure developments are sympathetic to local character while not preventing innovation or change. Paragraph 140 highlights the importance of layout and building form in contributing to a strong sense of place.

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.

Local Plan Policies LP1 and LP2 are also relevant. These policies underpin Policy LP24 and 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 of the Kirklees Local Plan requires all proposals to promote good design by ensuring layout, scale, density, and appearance respects the character of surrounding development and landscape. It also expects development to provide adequate outdoor space and be visually attractive. Policy LP57 and LP60 are also relevant due to the Green Belt context as set out in the principle of development section in this report.

The Kirklees Housebuilder Design Guide SPD sets out 'Principles' and expectations for development to respond positively to topography, existing building lines, and settlement patterns. It also seeks to ensure that new development integrates well with surroundings, with appropriate spacing, layout and massing that reflects local character.

Chapter 16 of the National Planning Policy Framework (NPPF, December 2024) sets out the national policy approach to conserving and enhancing the historic environment. Paragraphs 210 to 219 require Local Planning Authorities to give great weight to the conservation of designated heritage assets, irrespective of the degree of harm. Decisions should be based on an understanding of the significance of the heritage asset, the contribution of its setting, and the potential impact of proposals on the significance. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, Paragraph 215 requires harm to be weighed against public benefits of the proposal, including, where appropriate, securing its optimum viable use.

Policy LP35 of the Kirklees Local Plan reflects these national objectives, seeking to preserve or enhance the significance of designated heritage assets and ensuring that development proposals are informed by a clear understanding of their historic and architectural importance.

The application site forms part of Parkwood Mill, a Grade II Listed Building of mid to late nineteenth century origin, valued for its architectural and historic interest as well preserved example of an integrated room and power woollen mill. The significance of the listed building derives principally from its robust industrial form, stone construction, historic plan form, surviving internal structural features and its contribution to the wider Parkwood Mills complex and the character of the surrounding Conservation Area.

The proposed development has been assessed with regard to the significance of the listed building, its setting and the wider Conservation Area. The works are limited in extent and are largely confined to internal alterations to facilitate the conversion of the existing lower ground floor car parking area to residential use. Existing structural elements and industrial features, including internal columns and fixtures, would be retained, ensuring the continued legibility of the building's historic industrial character.

External alterations are modest and largely involve minor adaptations to existing openings within the established envelope of the building, presenting

new doors and windows contributing to an active ground floor frontage facing Grove Street. A single storey glazed extension is proposed to the northeastern elevation, however this would be subservient in scale and appearance. Subject to a condition to ensure details of external materials are submitted to the Local Planning Authority for written approval prior to installation, it is considered that these elements of the development would preserve the architectural integrity and visual coherence of the Listed Building when viewed from Grove Street, Stoney Lane and the wider area.

The proposed communal garden would be located to the rear of the building and form an ancillary element of the development. It would be visually contained within the existing curtilage of the mill and filtered by landscaping and would not detract from the significance or setting of the listed building, nor the wider Conservation Area. The arrangement of parking would be logical, utilising existing areas of hardstanding around the listed building as such it is not considered that the parking areas would give rise to visual harm to the Listed Building or the Conservation Area. It is recommended that a condition is attached to the decision to secure details of hard and soft landscaping in the interest of visual amenity and to preserve the character of the Conservation Area.

Overall, the proposal would result in less than substantial harm to the significance of the Grade II Listed Building, at the lowest end of the spectrum, and would contribute to securing the long term viable use of the heritage asset. This harm is clearly outweighed by the public benefits of the scheme, including the delivery of additional housing and the continued use and maintenance of the listed building, in accordance with paragraph 215 of the NPPF and Policy LP35 of the Kirklees Local Plan. The resultant building would be of an appropriate design and appearance meeting the aims of Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

3. Impact on Residential Amenity

Policy LP24 of the Kirklees Local Plan requires all development to provide a high standard of amenity for future and neighbouring occupiers. This includes appropriate levels of privacy, light, outdoor space and internal living conditions. The policy also seeks to ensure that development retains appropriate distances between buildings to avoid harmful impacts such as overshadowing and loss of privacy to neighbouring properties.

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 users. Principles within the Council's adopted Housebuilders Design Guide Supplementary Planning Document (SPD), where relevant, are referred to in the following consideration of the impact of the development upon residential amenity.

The nearest residential properties are within Parkwood Cottages on the junction of Grove Street and Stoney Lane, located circa 13m to the southwest of Mills 6 and 7. However, these properties are positioned at an oblique angle relative to

the application building, and there are no directly opposing habitable room windows. As a result, any views between the buildings would be indirect in nature, and the proposal would not give rise to undue overlooking. The proposal does not include any extension or increase in height to this elevation, therefore it would not give rise to any loss of daylight or lead to an overbearing impact on these neighbouring properties.

Residential properties within the wider area are separated from the application site by generous separation distances. These include No.1 Parkland Avenue, located circa 30m to the northwest, properties on Leaside Gardens circa 54m away, dwellings on Prospect Road circa 33m minimum to the northeast of the application building and properties on Grove Nook circa 60m to the southeast. At these distances and given the absence of significant changes to the scale or massing of the building, no adverse impacts on residential amenity would arise.

Properties within the Parkwood Mill complex on the opposite side of Grove Street are also adequately separated from the proposal and are not directly facing the application building. The proposal would therefore not result in unacceptable impacts on the amenity of these neighbours.

Overall, having regard to the existing relationships, separation distances, orientation and the limited nature of the works, the proposal would not result in unacceptable harm to the residential amenity of neighbouring occupiers and is considered acceptable in this regard in accordance with Policy LP24 of the Kirklees Local Plan.

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 emphasises the importance of providing high quality internal living expectations and contribute to a sustainable housing stock.

The proposed development would deliver seven self-contained units within the existing building. The accommodation comprises a mix of 1 bedroom 1 person, 1 bedroom 2 person and 2 bedroom 3 person units, all of which meet or exceed Nationally Described Space Standards in terms of minimum gross internal floor areas and bedroom sizes. Apartment sizes range from circa 37.13sqm to 67.77sqm, with all bedrooms meeting the required minimum standards for their intended occupancy. All habitable rooms are served by windows and benefit from access to daylight and sunlight.

While some units are relatively deep-planned, the primary habitable spaces, including bedrooms and identified living areas, are positioned to receive direct natural light, resulting in an acceptable standard of internal amenity. Lift access and step-free access are also provided within the building, ensuring inclusive access.

With regard to noise, an Acoustic Survey and Assessment has been submitted in support of the application. The assessment identifies that existing background noise levels could result in an adverse impact on the proposed units without mitigation. However, it concludes, that subject to the incorporation of appropriate mitigation measures, including standard double-glazed windows with trickle ventilation, acceptable internal noise levels can be achieved; as such it is recommended that these mitigations are secured by condition. Matters relating to sound insulation between individual dwellings fall within the remit of Building Regulations (Part E) and will be addressed through the building control process.

Overall, the proposed accommodation is considered to provide a satisfactory standard of living for future occupiers, consistent with the aims of Policy LP24 of the Kirklees Local Plan and Principle 16 of the Housebuilders Design Guide SPD.

4. Impact on Highway Safety

Policy LP21 of the Kirklees Local Plan requires development to provide safe, convenient, and efficient access for all users, including pedestrians, cyclists, public transport users and vehicles. Proposals must not result in an unacceptable impact on the highway network.

Policy LP22 sets out parking requirements stating that developments should provide appropriate provision for vehicles in accordance with the Council's adopted parking standards. This includes on-site parking for residents and visitors, as well as provision of servicing and deliveries where relevant.

These policies are underpinned by Chapter 9 of the NPPF which requires that development proposals ensure safe and suitable access for all users, mitigate any significant impacts on the transport network, and provide adequate opportunities for sustainable travel.

The Kirklees Highways Design Guide SPD provides further guidance on the detailed design of access points, private drives, internal layout dimensions, visibility splays, turning space, and the number of parking spaces required based on dwelling size.

The application site is located within an established residential area and benefits from existing vehicular access arrangements. However, the site is located within a low sustainable location, with limited access to local services and public transport, and as such the development is expected to be predominately car based. This has been taken into account in the assessment of this proposal.

Vehicular access to the site would continue to be taken from existing access points. Following clarification from the agent, the Highways Development Management Team confirmed that the proposal involves only minor modifications to an existing dropped kerb access, rather than the creation of a new vehicular junction. On this basis, the Highways Development

Management Team raised no objection to the access, subject to any necessary works being undertaken via a Section 184 agreement with the Local Highway Authority. Given the limited nature of the works, it was confirmed that a Stage 1 Road Safety Audit is not required.

The proposal would result in the loss of an existing lower ground floor car parking area to facilitate the creation of seven flats. The proposal would create two areas of parking for the site, comprising 9 spaces to the west accessed off Parkland Avenue and 25 spaces plus 3 accessible spaces to the east accessed off Grove Street.

The Highways Development Management Team acknowledged that the overall parking provision would be slightly below adopted standards; however, having regard to local car ownership data within the area and the scale of the development, the level of parking offered was considered acceptable on balance. While some overspill parking, particularly by visitors, may occur, it is not considered that this would result in highway safety impacts.

The submitted transport information demonstrates that the proposal would generate a limited number of additional vehicle trips, which would not have a severe impact on the operation or safety of the surrounding highway network.

Notwithstanding the site's limited sustainability and reliance on private vehicles, the Highways Development Management Team has raised no objection to the proposal subject to conditions relating to visibility splays, access gate arrangements and an informative advising the applicant of their responsibility to secure access works via Section 184 agreement.

Subject to conditions and informatives, the proposal is considered acceptable in highway safety and operation terms and is compliant with Policy LP21 and LP22 of the Kirklees Local Plan, the Kirklees Highways Design Guide SPD and Chapter 9 of the NPPF.

5. 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, Paragraphs 190, 191, 192, 194 and 195 of the NPPF (December 2024) collectively seek 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.

Ecology

The submitted Preliminary Ecological Appraisal (PEA) identifies the site as being of limited ecological value, comprising predominately built form and hardstanding with some areas of surrounding vegetation. The appraisal identifies potential for protected species, including bats and recommends further survey work. A Bat Roost Assessment and subsequent bat activity surveys were undertaken, which identified bat activity associated with the building and nearby trees. As a result, the need for an EPS licence and appropriate mitigation has been identified including measures relating to lighting and timing of works.

The Council's Ecology Officer has confirmed that, subject to the implementation of appropriate mitigation and licensing where required, the proposal is acceptable in ecological terms in accordance with Policy LP30 of the Kirklees Local Plan. The development does not involve the removal of significant habitats and would not result in unacceptable harm to protected species, provided the recommended measures are secured.

Biodiversity Net Gain

The proposal has been assessed against the statutory requirements for Biodiversity Net Gain (BNG). The submitted information confirms that BNG applies to the development and a BNG metric has been provided. The metric demonstrates that the scheme would retain and create biodiversity value on site, including the provision of habitat and hedgerow units. However, a minor shortfall in scrub habitat units has been identified, meaning that the BNG trading rules are not fully met within the red line boundary.

Subject to a planning condition requiring the submission of a Biodiversity Gain Plan prior to commencement, the application is acceptable from a biodiversity perspective. The Gain Plan will be expected to align with the submitted metric and demonstrate the delivery, management, and monitoring of habitats for a minimum 30-year period, in accordance with the Environment Act 2021. As such, subject to conditions, the proposal is considered to comply with Policy LP30 of the Kirklees Local Plan. An informative will be added to the condition to advise the applicant of their responsibilities in relation to protected species in accordance with the Wildlife Act and Chapter 15 of the NPPF.

6. Tree Impact

Policy LP33 of the Kirklees Local Plan seeks to ensure that development proposals protect existing trees and woodland, avoid unacceptable harm, and secure their long-term retention and integration into the landscape. Policy LP24 further requires development to respond positively to its landscape context and avoid adverse impacts on visual amenity.

The application site lies within a Conservation Area, within which all trees are afforded protection. The proposal has been considered with regard to its potential impact on existing trees and consultation responses received from the Councils Tree Officer.

Initial comments identified concerns relating to the absence of an Arboricultural Impact Assessment (AIA) and the extent of proposed works within the vicinity of retained trees, including encroachment into the Root Protection Areas (RPAs). In response, the applicant submitted an AIA, which has been reviewed by the Tree Officer.

The submitted AIA confirms that the proposed removal of G1 and T4, both identified as Category C trees, is acceptable and would not result in unacceptable harm to the overall tree cover or character of the site. The assessment also demonstrates that works within the RPAs of retained trees can be appropriately mitigated through the use of no dig construction techniques and tree sensitive surfacing ensuring the long-term retention and protection of important trees.

Following review of the additional information, the Councils Tree Officer has confirmed that the proposal is acceptable in arboricultural terms, subject to the submission and implementation of a detailed arboricultural Method Statement (AMS). This will ensure that appropriate tree protection measures are in place throughout the construction phase.

Subject to the recommended condition securing an AMS, the proposal would not result in unacceptable harm to protected trees or the character of the Conservation Area and is considered acceptable in tree and arboricultural terms and would comply with Policy LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

7. Pollution Control

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 result 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, remediated to ensure that sites are suitable for their intended use.

The site lies partially within the Development Low Risk Area as defined by the Coal Authority (The Mining Remediation Authority) and is also recorded as potentially contaminated land. In accordance with the Coal Authority's standing advice, proposals of this nature fall outside the requirement for consultation, as they are unlikely to pose risk to subsurface coal features or

land stability. As such, it is recommended that the Coal Authority's standing advice is attached to any decision as an informative.

During the course of the application, the applicant submitted a Phase 1 Desk Study. The report identified the potential for contamination associated with the historic use of the site and recommends that consideration be given to a targeted Phase 2 ground investigation prior to development.

In light of this, and to ensure that any risks to future occupants are appropriately addressed, planning conditions are recommended to secure further site investigations and where necessary the implementation of any required remediation measures. An additional condition is also recommended to secure a strategy detailing the intended placement, source, characterisation and suitability of any imported material.

Subject to appropriate conditions and informatives, the proposal is considered acceptable in relation to Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

7.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 proposal involves the re-use of an existing building and does not include significant new development. While a Climate Change Statement has not been submitted, the development will be required to comply with Building Regulations, including Part L, ensuring appropriate energy efficiency measures are incorporated. In addition, the re-use of the existing structure represents a sustainable form of development by reducing embodied carbon and construction waste. The proposal is therefore acceptable in Climate Change terms.

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.

8. Other Matters

Flood Risk and Surface Water Management

Chapter 14 of the National Planning Policy Framework and Policy LP28 of the Kirklees Local Plan require development to avoid increasing flood risk and to incorporate sustainable drainage where feasible. The site lies in Flood Zone 1 and is at very low risk of surface water flooding, no site-specific Flood Risk Assessment is required. It is recommended that a condition is attached to the decision to ensure permeable surfacing and appropriate drainage for parking and hardstanding areas. Subject to this condition, the proposal would comply with Policy LP28 and Chapter 14 of the National Planning Policy Framework 2024.

9. Representations

There were no public letters of representation received in response to site publicity.

10. 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: 2025/90354

Officer Recommendation: APPROVE

Conditions

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

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

1. 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, LP33, LP51, LP52 and LP53 of the Kirklees Local Plan, the adopted Housebuilders SPD and Chapters 2, 4, 5, 9, 12, 14, 15 and 16 of the National Planning Policy Framework.
2. Prior to the commencement of any external works, details and/or samples of all external materials to be used in the development, including doors, windows, finishes to altered openings and any external fixtures shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. **Reason:** In the interests of visual amenity and to preserve the character of the Listed Building and the setting of the Conservation Area, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework 2024.
3. 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
 - a) Identification of "biodiversity protection zones"
 - b) 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)
 - c) The location and timing of sensitive works to avoid harm to biodiversity features.
 - d) The times during construction when specialist ecologists need to be present on site to oversee works.
 - e) Responsible persons and lines of communication.
 - f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - g) 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:** This is a pre-commencement condition in the interests of biodiversity and in accordance with LP30 and Chapter 15 of the National Planning Policy Framework.

4. 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.
5. Prior to the first occupation of the development hereby approved, visibility splays of 2.4m x 43m shall be provided at the Grove Street vehicular access. All visibility splays within the development shall be kept free of any obstruction exceeding 1.0m in height above carriageway level for the lifetime of the development. **Reason:** To ensure adequate visibility in the interests of highway safety in accordance with Policy LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.
6. Any access gates shall be set back a minimum of 5m from the edge of the adopted highway and shall be designed to open away from the highway. The gates shall thereafter be retained as such. **Reason:** In the interests of highway safety in accordance with Policy LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.
7. The development shall not be occupied until refuse and recycling storage facilities have been provided in accordance with drawing no. 8548-ADS-XX-XX-DR-A-600 Rev P6. The facilities shall thereafter be retained for their intended purpose. **Reason:** To ensure satisfactory provision is made for the storage and collection of refuse, 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.
8. Prior to the commencement of any external works, an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall be prepared in accordance with BS5837:2012 – Trees in relation to design, demolition and construction and shall include:
 - a) Details of tree and hedgerow protection measures, including the location and specification of protective fencing and any ground protection;
 - a) The identification of root protection areas (RPAs) and work exclusion zones;
 - b) Details of any works within or adjacent to RPAs, including construction methodology where relevant;

- c) A program for the installation, inspection and retention of protection measures during the duration of works.

The approved AMS shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority. **Reason:** In the interest of protecting retained trees and hedgerows and to ensure compliance with Policies LP30 and LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

9. 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.
10. Prior to the first occupation of the development hereby approved, a detailed scheme of landscaping (including hard and soft landscaping, boundary treatments, planting plans with species, numbers, and planting sizes, and a timetable for implementation) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved timetable and retained thereafter. **Reason:** In the interests of visual amenity and to ensure a satisfactory standard of landscaping is achieved in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.
11. 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. This is a pre-commencement condition to ensure that adequate site investigations are undertaken at an appropriate time in the development process.
12. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 12, 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. 196 and 197 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that adequate remediation measures are considered at an appropriate time in the development process.

13. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 13. 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. This is a pre-commencement condition to ensure that adequate remediation measures are incorporated into the development at an appropriate time.

14. 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 (that part of) 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. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be 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.

15. Prior to materials being imported to the site, a strategy detailing the intended placement, the source, characterisation and the suitability of

any imported material must be submitted to and approved in writing the Local Planning Authority. The testing to demonstrate suitability must then be carried out in accordance with the approved strategy. Following importation and placement of the materials as described in the approved strategy, a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time until a Verification Report 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.

16. The development shall not be brought into use until all of the measures specified in the approved Acoustic Survey and Assessment authored by Martin Environmental Solutions Ltd dated June 2025 Ref 2990-1 have been carried out in full and such measures shall be thereafter retained. Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

NOTE: It is a requirement of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 that a Biodiversity Net Gain Plan is submitted to, and approved in writing by the Local Planning Authority prior to the commencement of development.

NOTE: DEVELOPMENT LOW RISK AREA - STANDING ADVICE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk/)

NOTE: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Highways Asset Management Team at vehicle.crossing@kirklees.gov.uk with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

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, Flint Street, Fartown, Huddersfield (Kirklees Street Care:

01484 221000) with regard to 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: It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section for works near or abutting highway and any retaining structures. Contact Highways Structures Section on Tel No. 01484-221000 who can advise further on this matter.

NOTE: Birds and their nests are fully protected under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to intentionally take, damage or destroy the eggs, young or nest of a bird whilst it is being built or in use. Disturbance to nesting birds can be avoided by carrying out vegetation removal or building work outside the breeding season, which is March to August inclusive.

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully. No works are to commence without the council first receiving a copy of the European Protected Species (EPS) licence and mitigation method statement.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. 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: The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk/)

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours Mondays to Fridays.
- 08.00 and 13.00hours, Saturdays.
- With no working Sundays or Public Holidays.

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

NOTE: EVF1 Electric Vehicle Charging Points

- A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof.
- Standard charging points for single residential properties that meet the requirements specified in the latest version of “*Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)*” by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable.
- 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.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Existing Site Plan (including Location Plan)	8548-ADS-XX-XX- DR-A-XXX	Rev P2	10/02/2025

Plan Type	Reference	Version	Date Received
Existing Ground Floor Plan	XXXX-ADS-XX-XX-DR-A-016	Rev P1	18/03/2025
Existing Elevations	XXXX-ADS-XX-XX-DR-A-015	Rev P2	18/03/2025
Proposed Site Plan	8548-ADS-XX-XX-DR-A-600	Rev P6	10/02/2025
Proposed Ground Floor Plan	XXXX-ADS-XX-XX-DR-A-001	Rev P5	10/02/2025
Proposed Elevations	XXXX-ADS-XX-XX-DR-A-010	Rev P2	18/03/2025
Heritage Statement	EH348/02		10/02/2025
Tree Survey and Constraints Report	12063	-	06/05/2025
Arboricultural Impact Assessment	WC-362.2a	-	08/09/2025
Supporting Statement & Listed Building Statement (including Design and Access Statement)	-		10/02/2025
Transport Statement Note	vhhudd/ 2409054		20/02/2025
TN01: Highways Technical Note	vhhudd/ 2409054		25/04/2025
Acoustic Survey and Assessment for Proposed Conversion to Residential (Mill 6 & 7)	2990-1		18/06/2025
Statutory Biodiversity Metric – Calculation Tool Output (v1.0.3)			15/07/2025
Statutory Biodiversity Metric: Technical Annex 1 – Condition Assessment Sheets and Methodology (v1.0.2)			15/07/2025
Full Biodiversity Net Gain Assessment (Version 1)	12616		15/07/2025
Bat Surveys Report			10/02/2025
Mitigation and Enhancement Measures Statement in relation to bat species			10/02/2025
Bat Roost Assessment (BRA)			10/02/2025

Plan Type	Reference	Version	Date Received
Extended Phase One Habitat Survey (Preliminary Ecological Appraisal)			10/02/2025
Phase 1 Desk Study	PS3695 – V1		23/07/2025

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 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. During the course of the application, officers requested additional information in response to consultation comments from the Highways Development Management Team, Tree Officers and Ecology Officer. The additional information submitted included a Transport Statement, updated Biodiversity Net Gain information and Arboricultural information. These details have been assessed accordingly within the body of this report and are considered acceptable.

Report Dated: 17.02.2026