



Application Number	
Date Logged	
Receipt No	Fee Received
Card	Other
KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY ONLY

Planning - PO Box 1720, Huddersfield, HD1 9EL
E-mail: planning.portal@kirklees.gov.uk Tel: 01484 414746

Application to determine if prior approval is required for a proposed: Change of Use of Buildings on Agricultural Units and former Agricultural Buildings to Dwellinghouses (Class C3), which may include extension of the building and/or building operations reasonably necessary for the conversion

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class Q

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	
Suffix	
Property Name	Popeley Farm
Address Line 1	Muffit Lane
Address Line 2	Gomersal
Address Line 3	Kirklees
Town/city	Cleckheaton
Postcode	BD19 4QS

Description of site location must be completed if postcode is not known:

Easting (x)

421565

Northing (y)

425576

Description

Applicant Details

Name/Company

Title

Mr and Mrs

First name

Surname

Wood

Company Name

Address

Address line 1

Popeley Farm

Address line 2

Muffit Lane

Address line 3

Gomersal

Town/City

Cleckheaton

County

Country

United Kingdom

Postcode

BD19 4QS

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mrs

First name

Fiona

Surname

Tiplady

Company Name

Address

Address line 1

Canalside House

Address line 2

Brewery Lane

Address line 3

Town/City

Skipton

County

Country

Postcode

BD23 1DR

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Eligibility

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible. The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

This permitted development right was amended on 21 May 2024 to broaden the range of buildings that could be converted to dwellings, allow extensions to the building, and to increase the total number of dwellings from 5 to 10.

However, the right was also updated to:

- No longer permit the creation of any dwelling with a floorspace over 150 square metres (previously, 'larger' dwellings could be up to 465 square metres)
- Remove the eligibility of any building that does not have suitable existing access to a public highway (previously, this was not an eligibility requirement)

Proposals that do not meet the above criteria are temporarily allowed to use the previous version of the permitted development right, though this will mean you are not able to benefit from any of the amendments made.

Select the checkbox below if you wish to use the previous version. Otherwise you should continue through this application, which is based on the current legislation as amended.

- ☐ **I/We confirm that this application will use the permitted development right as it stood prior to 21 May 2024.** In confirming this, I/we understand that:
- The application must be received by the local authority by 20 May 2025 (the payment process on Planning Portal must be completed before the application will be submitted).
 - The [supplementary information template](#) covering the pre-21 May 2024 eligibility criteria and information requirements must be downloaded, completed and attached as a supporting document.
 - Failure to do either of the above could result in application being refused without the fee being refunded.

Is the site currently part of an established agricultural unit?

- ☒ Yes
☐ No

Was the site part of an established agricultural unit on 24 July 2023?

- ☒ Yes
☐ No

Has any work under the permitted development rights for the erection, extension or alteration of a building reasonably necessary for the purposes of agriculture been carried out on the agricultural unit during the 10 year period before development begins?

- ☐ Yes
☒ No

Will the external dimensions of the resulting building(s) extend beyond the existing building(s) at any point, other than:

- as a result of any permitted extension to the building under this permitted development right; or
- by more than 0.2 metres as a result of any permitted building work or other operations under this permitted development right.

- ☐ Yes
☒ No

Will any proposed extension:

- be more than 1 storey;
- be sited anywhere other than the rear of existing building;
- extend beyond the rear wall of existing building by more than 4 metres;
- extend beyond side or principal elevations of the existing building;
- create eaves higher than the height of the current building's eaves;
- be higher than the highest part of the roof of the existing building, or exceed 4 metres in height;
- be on land that is not already covered by a hard surface, with that hard surface having existed on or before 24th July 2023 or, where the hard surface was provided after 24th July 2023, has been in place for at least 10 years before development begins.

- ☐ Yes
☒ No / No extension proposed

Does the new building have suitable access to a public highway?

- ☒ Yes
☐ No

Is the existing building (including any permitted building work or other operations, but excluding any proposed extension), capable of complying with the nationally described space standard?

- ☒ Yes
☐ No

NOTE: Please note: Any new dwellinghouse will only be eligible for permitted development rights if it has a gross internal floor area of at least 37 square metres, and complies with the [nationally described space standard](#).

Is any part of the land, site or building:

- in a conservation area;
- in an area of outstanding natural beauty;
- in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
- in the Broads;
- in a National Park;
- in a World Heritage Site;
- in a site of special scientific interest;
- in a safety hazard area;
- in a military explosives storage area;
- a scheduled monument (or the site contains one);
- a listed building (or within the curtilage of a listed building)

- ☐ Yes
☒ No

Agricultural tenants

To be eligible for this permitted development right, all parties to any agricultural tenancy agreements that are currently in place, or that have been terminated in the year before development is proposed to begin, need to provide consent.

This is to help ensure that agricultural tenants are not displaced to allow a change of use to be carried out.

Is the site currently occupied under any agricultural tenancy agreements?

- ☐ Yes
☒ No

Have any agricultural tenancy agreements been terminated in the year before development is proposed to begin for the purpose of carrying out the proposed change of use?

- ☐ Yes
☒ No

Dwellinghouses and floor space

This permitted development right was amended on 21 May 2024 to broaden the range of buildings that could be converted to dwellings, allow extensions to the building, and to increase the total number of dwellings from 5 to 10.

However, the right was also updated to:

- No longer permit the creation of any dwelling with a floorspace over 150 square metres (previously, 'larger' dwellings could be up to 465 square metres)
- Remove the eligibility of any building that does not have suitable existing access to a public highway (previously, this was not an eligibility requirement)

Proposals that do not meet the above criteria are temporarily allowed to use the previous version of the permitted development right, though this will mean you are not able to benefit from any of the amendments made.

If you wish to use the previous version, please return to the 'Eligibility' question and select the option at the top of that question to do so. Otherwise you should continue through this application, which is based on the current legislation.

To be eligible for this permitted development right, the number and size of dwellinghouses developed has to be within the limits set by legislation. This includes any dwellinghouses that were previously developed under this permitted development right.

- No more than a total of 10 dwellinghouses can be developed;
- The floorspace of any single dwellinghouse developed cannot exceed 150 square metres;
- The cumulative floor space of all the dwellinghouses developed cannot exceed 1,000 square metres.

What will be the net increase in dwellinghouses?

1

NOTE: This figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses on the site immediately prior to the development.

Would the floorspace of any of the proposed dwellinghouses exceed 150 square metres?

- ☐ Yes
☒ No

Previous development

How many dwellinghouses have previously been created under this permitted development right on this established/former agricultural unit?

3

Cumulative floor space

What would be the total combined floor space (previously and in this proposal) changed to Dwellinghouses under this permitted development right on this established/former agricultural unit?

450

Square metres

Description of Proposed Works, Impacts and Risks

Please describe the proposed development, including the siting and location of the building(s)

Change of use of existing agricultural building to a three bedroom dwelling. The building is located off an existing courtyard and is accessed via an established driveway from Muffit Lane.

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses

Please refer to plans. Each bedroom and the kitchen / living space have windows to allow natural light into the building.

Will the building(s) be extended as part of the proposed development

☐ Yes

☒ No

NOTE: If using the transitional provision to benefit from the permitted development rights as they stood prior to 21 May 2024, then extensions are not permitted, and you should answer 'No'.

Are any associated building works or other operations required to make this change?

Note that such works are restricted to those listed below that are reasonably necessary to convert the building(s) for use as a dwellinghouse:

- the installation or replacement of windows, doors, roofs, or exterior walls;
- the installation or replacement of water, drainage, electricity, gas or other services;
- partial demolition to the extent reasonably necessary to carry out the works listed above.

☒ Yes

☐ No

If yes, please provide details of the design and external appearance of the building(s) in regard to these building works or other operations:

Please refer to submitted plans.

Please provide details of any transport and highways impacts and how these will be mitigated:

Please refer to submitted highway statement which assesses that access to the building can be safely achieved.

An access to the site already exists

Sight lines are to be improved. Refer to proposed visibility splays as detailed in the highway statement.

Bin storage is provided at the entrance to the site so there is no requirement for pantechnicons to travel up the driveway.

Appropriate swept paths can be provided within the site to accommodate the turning of any emergency vehicles.

In the earlier submission, the Highway Authority raised no objections in principle for a dwelling to be created in this building.

Please provide details of any noise impacts and how these will be mitigated:

There are no anticipated noise impacts. The remaining agricultural space is solely used for storage of agricultural tools.

Please provide details of any contamination risks and how these will be mitigated:

A coal mining risk assessment is provided.

On the approved Prior Approval submission for 3 units in another agricultural building, Environmental Health officers recommended conditions to be attached to any approval granted. The applicants are happy for those suggested conditions to be attached to a planning approval.

Please provide details of any flooding risks and how these will be mitigated.

A flood risk assessment should accompany the application where the site:

- is in Flood Zones 2 or 3; or
- is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).

[Check if your site location is in Flood Zone 2 or 3 online.](#)

Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

The site lies within Flood Zone 1.

Declaration

I/We hereby apply for Prior Approval: Change of use - agricultural (or former agricultural) buildings to dwellinghouses as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Fiona Tiplady

Date

03/03/2025