

**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:	2025/62/90984/W
Site Address:	Fletcher House Farm, Lumb Lane, Almondbury, Huddersfield, HD4 6SZ
Description:	Part conversion of part derelict space in farmhouse to create two storey dwelling with replacement door and windows (Listed Building)
Recommending Officer:	Kerri Simpson

DECISION – REFUSED

I hereby authorise the refusal 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: 2nd December 2025

Officer Report – 2025/90984

Fletcher House Farm, Lumb Lane, Almondbury, Huddersfield, HD4 6SZ

Site Description

The application site relates to a two-storey building attached to the eastern side of an existing dwelling known as No.27 Lumb Lane. The wider site is Fletcher House Farm, a historic, Grade II Listed Farmstead with the main dwelling and associated agricultural outbuildings, many of which are in varying states of disrepair. The applicant outlines that the property and site, have most recently been used as an operational, working farm, however, are now sold with vacant possession.

The site lies within the Green Belt and is accessed via a private track of Lumb Lane. There are no immediately adjacent residential properties other than No.27 Lumb Lane.

Description of Proposal

Planning permission is sought to convert an attached two storey building into a self-contained two-bedroom, 3-person dwelling. The works include the installation of a new internal staircase, the replacement and reinstatement of windows and doors with double glazed timber framed heritage style units, localised internal structural repairs and the repair of existing stone masonry and roofing. Vehicular access is proposed to remain as existing and off-street parking would be accommodated within the existing yard.

Supporting Information

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

- Planning Statement (dated March 2025)
- Design and Access Statement (dated March 2025)
- Heritage Statement (dated March 2025)
- Climate Change Statement

History of Negotiations and Amendments Received

The red line boundary was amended at the request of officers to ensure that the application encompassed only land necessary to facilitate the development. The site area was reduced to include only the land and buildings directly relevant to the proposed development, including the existing private access track. All other land within the applicant's ownership was outlined in blue. The red line boundary as amended, terminates before the end of the private access track and does not visibly connect to the adopted highway. As such, there appears to be a strip of land between the application site and the adopted highway, the ownership of which has not been clarified. It is therefore not possible to verify whether this land falls within the

applicant's control, whether appropriate notice has been served on any relevant third parties or whether the applicant benefits from a lawful right of access across this intervening land.

As a result, the Local Planning Authority are unable to consider that the application site can be lawfully accessed. In the absence of such clarification, the red line remains deficient and contrary to the requirements of Article 7 of the DMPO 2015.

Furthermore, the site lies within a Bat Alert Zone and falls within 200m of both a priority habitat (ancient woodland) and a watercourse. The application building is also of a type and condition considered likely to support roosting bats. As such, a Preliminary Roost Assessment was requested in July 2025 in line with Policy LP30 of the Kirklees Local Plan and other relevant legislation.

Although multiple extensions of time were granted to allow for the submission of this ecological information, a Preliminary Roost Assessment has not been received. The applicant has not provided a reasonable timescale for when this will be forthcoming. Accordingly, the Council is unable to conclude that the proposed development would not result in harm to protected species.

The applicant and agent were advised on 1st December 2025 via email that the application would proceed to determination based on the information available at that time.

Relevant Planning History

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

Ref: 2025/90985

Description: Listed Building Consent for part conversion of part derelict space in farmhouse to create two storey dwelling with replacement door and windows

Decision: Under Consideration

Ref: 2005/92436

Description: Listed Building Consent for Installation and Refurbishment of Windows

Decision: Consent Granted (01.08.2005)

Ref: 96/90867

Description: Installation of cesspool and formation of hardstanding

Decision: - Granted Under Reg.3 General Regulations (24.05.1996)

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, press notice and via the Council's website. The statutory publicity period expired on 20th June 2025. There have been no letters of representation from members of the public received.

Consultation Responses

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

West Yorkshire Archaeological Advisory Service– No objection subject to a condition to secure a written scheme of archaeological investigation (WSI) prior to the commencement of development.

KC Ecology Team – Objection, the site is within 200m of priority habitats, including ancient woodland, and a watercourse. The submitted documents and structural survey, which include detailed photographs of the building indicate that there are a number of potential features for bat roosting. As such, it is recommended that a Preliminary Bat Roost Assessment is submitted in the interests of biodiversity and in accordance with LP30 and NPPF15. The proposed work appears to be remaining within the blueprint of the original building. Therefore, de minimis would apply and BNG would be exempt from this application as set out in Schedule 7A of the Town and Country Planning Act 1990 (as amended).

KC Highways Development Management (Verbal Comments)– No objection in principle, however the red line boundary would need to be revised to ensure it includes the access drive, and the bin storage area is acceptable in principle however, the bin collection arrangements are unclear.

KC Conservation Team – No objection subject to conditions requiring large scale details of new or replacement windows/doors, material samples, details of any external vents, flues or extracts, a method statement for the repair and repointing of stonework and painted timber joinery.

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

Allocation and Policy

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

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

- Grade II Listed Building and Curtilage Listed (LPA ref: HUD 49/54, List Entry No.1134946)
- Bat Alert Zone
- Development Low Risk Area (Coal)

Public rights of way (HUD/158/10 and HUD/159/10) are to the north and west of the site.

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

Kirklees Local Plan

- LP1 – Presumption in favour of 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
- LP21 – Highway safety and access
- LP22 – Parking
- LP24 – Design
- LP26 - Renewable Energy
- LP28 – Drainage
- LP30 – Biodiversity and Geodiversity
- LP35 – Historic Environment
- LP32 – Landscape
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated Land
- LP60 – The re-use and conversion of buildings

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. 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 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport

- Chapter 11 – Making effective use of land
- Chapter 12 – Requiring 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
- Chapter 15 – Conserving and enhancing the historic 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)
 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

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.

Land Allocation – Green Belt

The application site is located within the Green Belt. As such the proposal falls to be assessed by Chapter 13 of the NPPF. Chapter 13 of the National Planning Policy Framework requires Local Planning Authorities to regard the construction of new buildings as inappropriate development. Exceptions to this include the re-use of buildings provided that the buildings are of a permanent and substantial construction as outlined in paragraph 154h (iv) and the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building outlined in Paragraph 154c.

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

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

The building is two storey in height and is constructed from coursed gritstone with dressed stone quoins and a stone slate roof. While the building is currently unoccupied and in a partly deteriorated condition, the extent of the deterioration appears to be limited primarily to internal elements. The heritage documents and photographs show intermediate floor degradation, minor localised collapse, loss of internal floorboards, and timber decay due to water ingress and rising damp. The proposed repairs are centred around re-roofing, re-pointing, reinstatement of internal floors and localised repairs in order to convert the building into a dwelling. The overall structure of the building, including the external walls, roof structure and plan form remain intact and legible. No evidence has been provided to suggest structural failure of the external envelope or a loss of integrity to the buildings form. It is therefore considered that the existing structure is capable of conversion without substantial rebuilding.

With regards to LP60b, the proposed works are focused on the building itself, with no extensions, outbuildings or boundary changes proposed, as such the layout of the site would remain largely unchanged. With regards to LP60c, the proposed external changes would be minimal and sympathetic. The materials and finishes would reflect the buildings existing character, with traditional stone retained and repaired where needed, in addition to the replacement of existing windows with heritage style frames. As such, the works would be appropriate for the listed building and the rural setting.

The proposals are therefore considered to be appropriate development in the Green Belt which accords with paragraph 154 h(iv) in the NPPF and Policy LP60 of the Kirklees Local Plan.

1.2 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 site is within the Green Belt in a rural location where development is typically more dispersed. While the proposal would introduce an additional dwelling in an area where future occupants would be predominantly reliant on private vehicles, the site remains reasonably accessible to Almondbury District Centre and Newsome Local Centre. As such, although not located within a highly sustainable location, the proposal is considered broadly commutable to essential services and employment areas. The proposed conversion would contribute positively to housing stock through the delivery of one unit. Whilst, when considering the site area, the density is low, a higher density is unlikely to be appropriate in this context. The existing building is physically attached to an established dwelling, as such the conversion of the building to form a dwelling makes a productive use of the building while avoiding undue encroachment into the countryside. As such, it is considered the proposal would meet the aims of Policy LP7 and LP3 of the Kirklees Local Plan.

2. Heritage Impacts

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.

Significance of the Designated Heritage Asset (Grade II Listed Building)

Fletcher House Farm (including attached building) is a Grade II Listed 17th century vernacular farmhouse, notable for its traditional plan form, use of local materials, and architectural detailing. The listing highlights its timber framed structure, course stone and rubble walls, red brick detailing at first floor, stone slate roof, mullioned windows and large king post trusses as key element of special interest. These features reflect the local building traditions of the period and contribute to the asset's architectural and historical significance within its rural setting.

Scale of Harm

The proposals seek to convert the building into a single dwelling through a sensitive repair and reinstatement strategy. Works would include re-roofing, localised stone and brickwork repair, re-pointing, replacement floors and ceilings, replacement windows and doors, breathable internal insulation, and traditional timber repair using splice techniques rather than wholesale replacement. These methods are considered sympathetic to the age and construction of the building. There would be no extensions, outbuildings or alterations to the external footprint proposed. As such, the legibility of the original building will be retained, and its character preserved.

The Council's Conservation Officer was consulted and raised no objection, subject to the imposition of conditions to secure full details of materials, joinery, ventilation, insulation and timber repairs. These conditions have been reviewed and will be attached accordingly, if necessary, to this full planning permission to ensure that the heritage impacts are appropriately managed through the discharge of those details post-approval. Taking into account the nature of the works and the Conservation Officers' comments, it is considered that the scheme would result in less than substantial harm to the significance of the listed building, as defined in paragraph 212 of the NPPF.

Public Benefits

In line with Paragraph 215 of the NPPF, the public benefit of securing the long-term viable reuse of this vacant designated heritage asset weighs in favour of the proposal, and the limited degree of harm identified is considered to be outweighed accordingly.

Conclusion on Heritage Impacts

Accordingly, while the proposal would result in less than substantial harm to the Grade II Listed Building, the overall benefits, including securing the buildings optimum viable use as a single dwelling, its long-term preservation, and the use of traditional repair methods to reinstate key features are considered to significantly outweigh the limited identified harm. Subject to appropriate conditions, the proposal is considered to represent a sensitive and sustainable re-use of a heritage asset. The works would retain the character and legibility of the building, no enlargements or significant alterations proposed, and any internal changes would be reversible in nature. As such, the scheme is considered to accord with the aims of Chapter 16 of the National Planning Policy Framework (2024) and Policy LP35 of the Kirklees Local Plan, which seek to ensure that development affecting heritage assets preserves their significant and secures their long-term conservation.

3. 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*'.

The proposed works relate to the conversion of an existing structure into a single dwelling. External alterations would include re-roofing of the building in slate, stone repairs, lime repointing, reinstatement of lost openings, and the replacement/introduction of timber framed windows and doors. These works are modest in scale, closely aligned with the original form and appearance of the existing attached dwelling. The development would retain the buildings vernacular character and enhance its visual integrity through sensitive repair and reinstatement.

The building sits within a rural setting, and the visual impact of the proposed works would be limited to short range views from adjoining open land. Given the sympathetic nature of the proposals and the absence of any incongruous new build elements, the development is not considered to result in any adverse impact on visual amenity.

Overall, the proposed alterations are considered to be of a high quality in terms of design and materiality, and subject to conditions, would comply with the aims of Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

4. 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).

3.1 Neighbouring Amenity

The building is physically attached to No.27 Lumb Lane, which forms the only immediately adjoining dwelling. While the proposal would see the reinstatement of window openings, views would be directed away from No.27 Lumb Lane, as such, it is not considered the development would result in a loss of privacy to this neighbour. In addition, the proposal would not

encompass enlargements or alterations that would give rise to overbearing impacts or a loss of daylight or sunlight. As such, it is not considered that the proposal would give rise to impacts on the amenity of neighbouring residential occupiers.

3.2 Amenity of future occupiers

The submitted plans indicated that the proposed dwelling would be a 2 bedroom, 3 person unit with a Gross Internal Area (GIA) of circa 77sqm, thereby exceeding the minimum requirement of 70sqm for a two storey dwelling of this nature set out in the Nationally Described Space Standards (NDSS).

It is acknowledged that the northern and eastern elevations are positioned close to existing structures, including a feed storage silo and various agricultural buildings. These, along with other low profile outbuildings to the north, could partially impinge on outlook. However, it is considered that windows to habitable rooms would be strategically located to maximise outlook, daylight and sunlight, albeit with some intervening built form. On balance, it is not considered that the proposal would give rise to an unacceptable standard of internal accommodation.

The proposed dwelling would have access to a narrow strip of outdoor spaces to the southern side. However, this space is extremely limited and would not function as meaningful or usable private garden land. Nevertheless, given the buildings historical agricultural use, heritage designation and the similar arrangement at the existing dwelling, the lack of formal private amenity space is not considered to weigh significantly against the scheme.

While it is acknowledged that the agricultural use of the site has recently ceased following the sale of the land under vacant possession, there is potential for such activity to resume. However, the application site forms part of a wider agricultural holding in the same ownership. As such, any recommencement of agricultural operations would remain under the applicants control, and there is no anticipated conflict between future residential occupation and agricultural use. Consequently, no adverse impacts for future occupiers are anticipated in this regard.

Overall, the proposed accommodation is considered to meet the minimum space standards, offer a logical internal layout and provide an acceptable living environment for future occupiers in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

5. Highway Impacts

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.

Access to Highway

The red line boundary shown on the submitted location and site plans does not extend to the adopted highway and instead terminates short of the highway's edge. As a result, there is no certainty that the application site benefits from a legal or physical right of access across the intervening land between the site and Lumb Lane.

While officers sought clarification on this issue during the application process, at the point of determination, the applicant has not amended the submission to reflect any existing rights of access nor has any legal documentation such as third party confirmation been submitted to demonstrate that safe and lawful access to the public highway can be achieved from the proposed dwelling. Without a continuous red line to the adopted highway or confirmation of legal access rights, the proposal fails to meet a fundamental requirement for developments.

This uncertainty gives rise to concerns regarding the deliverability and operability of the development. In the absence of confirmed access, there is potential that access to the dwelling would only be possible on foot, which would see vehicular parking associated with the dwelling having to be undertaken on land outside of the red line boundary. As a result, the application is concluded to be contrary to Policy LP21 of the Kirklees Local Plan and Chapter 9 of the NPPF, which collectively require development to provide safe and suitable access for all users. Furthermore, this matter cannot be resolved via condition, given that it relates to the red line boundary and the fundamental principle of lawful site access.

Waste Management

The submission identifies a bin store appropriately sited within the site, however notes both a bin collection point on a grass verge outside the red line boundary on Lumb Lane and, outlines a 62m walking distance to the bin storage area for refuse workers. As such, as submitted the waste management plan lacks clarity and presents contradictory information. As the

application sites red line boundary does not extend to the adopted highway, the Local Planning Authority (LPA) cannot ascertain whether either proposed arrangement would constitute a suitable and sustainable waste collection arrangement. Further, the LPA cannot impose a condition that requires actions or operations on land outside of the applicants control. As such, the proposal fails to demonstrate a suitable and sustainable waste collection arrangement, contrary to Policies LP21 and LP24 of the Kirklees Local Plan and the Council's Waste Management Design Guide.

Parking

While no formal parking layout plan has been submitted, the site has sufficient space to accommodate off-street parking for both the proposed and existing dwellings. However, as previously highlighted, the ability to undertake lawful access is not clearly demonstrable and there remains potential any parking provision that could be provided within the red line boundary of the site could not be accessed by vehicles associated with the dwelling. As such the proposal would meet the aims of Policies LP21 and LP22 of the Kirklees Local Plan in this respect.

6. Contaminated Land

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.

The site is not identified as contaminated or potentially contaminated land on the Council's GIS mapping; however, it is acknowledged that agricultural is a historic use. The proposal relates to the conversion of an existing building with limited external works. A precautionary condition will be applied to ensure that in the event that unexpected contaminants are encountered or suspected, the developer contacts the Local Planning Authority, and no further development is carried out until an investigation and risk assessment has been undertaken and a remediation strategy has been submitted to and approved in writing by the LPA.

In terms of coal legacy, the site is located within the defined Development Low Risk Area, and in line with the standing advice from the Coal Authority, a Coal Mining Risk Assessment (CMRA) is not required. If permission is granted, an informative will be added to the decision to draw the applicant's attention to the possibility of historic coal mining legacy in the area and their responsibilities should any features be uncovered.

In light of the above, and subject to an appropriate condition for unexpected contamination, together with an informative a recommended by the Coal Authority, the development is considered acceptable in respect of ground conditions and coal mining legacy. The proposals therefore comply with Policy LP53 of the Kirklees Local Plan and Paragraphs 196 and 197 of the National Planning Policy Framework.

7. 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 a designated Flood Zone and is not identified as being at risk from surface water flooding. As such, there is no requirement for a Flood Risk Assessment in this case. However, in accordance with Policy LP28 of the Kirklees Local Plan and the aims of Chapter 4 of the NPPF, new development should still incorporate sustainable drainage solutions to ensure that surface water is managed appropriately and does not exacerbate flood risk on or off site. Details of surface water drainage, including the use of permeable surfacing or SuDs features where appropriate would be secured by conditions as appropriate.

8. 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.

The site lies within a Bat Alert Zone and is within 200 metres of priority habitats including ancient woodland and a watercourse. The application involves works to an existing stone structure that demonstrates bat roosting opportunities. The nature and scope of the conversion works have a clear potential for roosting features to be present and potentially disturbed as part of the development.

The Council's Ecologist was consulted and has advised, that due to the ecological sensitivity of the surrounding area and the nature of the proposal, a Preliminary Roost Assessment (PRA) is required prior to determination in line with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This is necessary to allow the Local Planning Authority to discharge its legal duty to have regard to the conservation of biodiversity and ecology when determining applications.

To date, no bat survey or ecological assessment has been submitted in support of the application. In the absence of this information, the Council cannot be satisfied that the development would not result in harm to a protected species. This represents a fundamental conflict with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework .

9. 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 applicant has submitted a Climate Change Statement which outlines a number of sustainability measures to be incorporated into the development. These include but are not limited to, a fabric first approach to insulation, low-energy LED lighting, modern boiler system, zoned heating controls, and the use of sustainable construction methods and materials. The submission also references strategies to minimise construction waste and incorporate SuDs.

The measures outlined in the submission align with the general aims of Policies LP24(d) and LP26 of the Kirklees Local Plan, Chapter 14 of the NPPF and the wider aims of the Council.

10. Other Matters

None.

11. Representations

No public letters of representation were received.

12. 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.

The proposed development is not considered inappropriate development under exception at Paragraph 154h (iv) of the National Planning Policy Framework and Policy LP60 of the Kirklees Local Plan. In terms of design and heritage impact, the proposals are considered acceptable resulting in less than substantial harm to the listed building. That harm is outweighed by the public benefit of securing the buildings long-term visible use, in accordance with Chapter 16 of the NPPF and Policies LP24 and LP35 of the Kirklees Local Plan. Further, the proposal would not have an adverse impact on the amenity of neighbouring residential occupiers, nor would it result in a poor quality of accommodation for future occupiers.

However, the application fails to demonstrate that safe and suitable access can be achieved onto the public highway. The red line boundary fails to include the full access route, and waste management arrangements remain unclear, contrary to Policies LP21 and LP24 of the Kirklees Local Plan and Chapters 9 and 12 of the NPPF. Furthermore, in the absence of a Preliminary Bat Roost Assessment, the proposal fails to establish whether the works would impact protected bat species, contrary to Policy LP30 of the Kirklees Local Plan, Chapter 15 of the NPPF and the Councils statutory duty under the Conservation of Habitats and Species Regulations 2017.

Accordingly, the application is recommended for refusal on the ground of highway safety, inadequate waste management provision, and lack of ecological information.

Recommendation

REFUSE

Decision Authorisation: Delegated Powers

Application Number: 2025/90984

Officer Recommendation: REFUSE PERMISSION

Reasons for Refusal

1. The red line boundary fails to include the full access route to the public highway, and no formal details have been provided to demonstrate that a safe and suitable access can be achieved. As such, the application fails to demonstrate compliance with Policy LP21 of the Kirklees Local Plan and Paragraph 115 of the National Planning Policy Framework 2024.
2. The application fails to adequately demonstrate how domestic waste and recycling will be managed and collected. In the absence of clear and enforceable arrangements, the proposal fails to demonstrate a practical and policy compliant waste management strategy. The proposal is therefore contrary to Policy LP24(d) of the Kirklees Local Plan and Paragraph 139 of the National Planning Policy Framework.
3. The application is not supported by a Preliminary Bat Roost Assessment. This information is required to establish the potential presence of protected species. In the absence of such information, the proposal fails to comply with Policy LP30 of the Kirklees Local Plan and Paragraphs 193 and 195 of the National Planning policy Framework 2024.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	31/2503/001	Rev A	18/06/2025
Existing Detailed Layout Site Plan	31/2503/003	Rev A	18/06/2025
Existing Drawings	31/2503/005		08/04/2025
Existing Sections AA and BB	31/2503/006		08/04/2025
Existing Photos	31/2503/004		08/04/2025
Site Block Plan	31/2503/002	Rev A	18/06/2025
Proposed Drawings	31/2503/007		08/04/2025
Proposed Sections AA and BB	31/2503/008		08/04/2025
Internal Works	31/2503/009		08/04/2025
External Door Replacement	31/2503/010		08/04/2025
External Window Replacements	31/2503/011		08/04/2025

Plan Type	Reference	Version	Date Received
Climate Change Statement			23/04/2025
Climate Change Statement (2)			23/04/2025
Planning Statement			08/04/2025
Design and Access Statement			08/04/2025
Heritage Statement			08/04/2025

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, however, in the absence of satisfactory amendments regarding the red line boundary or supporting information including a Preliminary Bat Roost Assessment, the proposal remains contrary to adopted planning policy and guidance.

Report Dated: 1st December 2025