

**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:	2025/62/91225/W
Site Address:	Bradley Hall, Lower Quarry Road, Bradley, Huddersfield, HD2 1FN
Description:	Change of use from dwellinghouse with barn to mixed-use Light Industrial for the production of wood fuel (biomass) and dwellinghouse; the construction of a detached workshop/storage building; extension and alterations to the existing building, formation of new access and other associated works. (Listed Building)
Recommending Officer:	Kerri Simpson

DECISION – CONDITIONAL FULL PERMISSION

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

John Holmes

AUTHORISED OFFICER

Date: 6th March 2026

Officer Report – 2025/91225

Bradley Hall, Lower Quarry Road, Bradley, Huddersfield, HD2 1FN

Site Description

The application site comprises approximately 1.6ha of land on the northern side of Lower Quarry Road. The site contains a Grade II listed former cottage/longhouse with attached barn and associated land. The existing building is in an poor state of repair, with evidence of historic alteration and unsympathetic patchwork repairs. The wider site appears to be in some active commercial use; however, it is acknowledged that this is likely unlawful.

The land slopes down from the south-western boundary adjoining Lower Quarry Road towards the north-eastern edge adjoining the railway line and also falls from north-west to south-east, with Lower Quarry Road sitting below the site level at its north-western edge. Boundaries are generally formed by low stone walls with post-and-wire fencing, and there are groups of trees across the site including a row of mature trees along the north-western boundary.

The surrounding area is influenced by a mix of uses, including the operational Bradley Park landfill to the west, the Huddersfield–Halifax railway line to the north/northeast, and open land to the south with the built-up area of Bradley beyond. The site is accessed from the west via Lower Quarry Road, which links to Leeds Road (A62). There are two Public Rights of Way (PROW) within the vicinity, including HUD/449/10 and HUD/6/10 adjacent the southern boundary.

The site is subject to the following designations and constraints:

- Green Belt
- Grade II Listed Building (ref 1313500)
- Historic Landfill Buffer 200m – 250m
- Landfill Gas Site Buffer 250m
- Development High Risk and Low Risk (Coal)
- Bat Roost Record (Bradley Hall)

Description of Proposal

The Scheme

Planning permission is sought for the change of use of the existing dwellinghouse with attached barn to a mixed use comprising Light Industrial (for the production of wood fuel/biomass) and a dwellinghouse, together with associated operational and building works.

The proposals include the repair, renovation, extension and alteration of the existing Grade II listed building. The submitted information describes works including:

- replacement of the existing profiled metal sheet roof with stone slates;
- rebuilding/repairing and repointing masonry and stonework;
- repair of the brickwork structure at the north-eastern end with vertical timber plank cladding;
- re-opening of existing doors and windows;
- like-for-like replacement of timber windows where relevant;
- installation of new timber doors;
- formation of two new first-floor window openings in the north-west elevation; and the installation of new rainwater goods.
- The scheme also includes the reconstruction of an existing extension/annexe to the south-west gable

The development also proposes the construction of a detached workshop/storage building to support a proposed light industrial operation. This would involve excavation and levelling to form a platform, the provision of a concrete pad, and construction of a retaining wall with a stone facing. The workshop is described as incorporating a 900mm high stone wall with vertical timber cladding above and a profiled sheet roof, with an opening on the north-east elevation.

In addition, the proposals include the formation of a new access and driveway and the creation of areas of permeable hard standing to provide parking and operational space associated with the light industrial use.

In operational terms, the light industrial element would operate as a small-scale woodfuel/biomass processing base, receiving virgin wood arisings (brush, logs and chippings) from the landscaping and arboricultural sectors, typically via flat-backed transit-style vans. The material would be processed on site using a woodchipper to produce a biomass-sized product, with the chipped material then stored under cover to keep it dry and prevent contamination, which informs the need for the proposed workshop/storage building. The applicant anticipates around 3–4 LGV/van trips per day to deliver material (with an exceptional maximum of up to 7 deliveries in a day) and approximately one larger vehicle collection per week to remove processed material for onward supply/processing. Operations are intended to be undertaken by a one-person operation during 08:00–16:00 Monday to Saturday.

This application runs concurrently with Listed Building Consent reference 2025/91226 for Extensions and alterations of the building including the formation of new openings, unblocking of existing openings, replacement roof covering, installation of new fenestration, internal alterations and associated works.

Supporting Information

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

- Heritage Assessment (GTP Ref 2502003 V1), prepared by Groves Town Planning Ltd, dated 26th March 2025
- Planning Statement (GTP Ref 2502003), prepared by Groves Town Planning Ltd, dated 26th March 2025
- Ecological Impact Assessment (ref MBE/ECO/2024/001/01), prepared by Middleton Bell Ecology, dated 15th July 2024
- Arboricultural Impact Assessment (21655-A/JB), prepared by JCA Limited
- Arboricultural Method Statement (21655-B/JB), prepared by JCA Limited
- Structural Appraisal Report (MDL-9683), prepared by Marsh Design Limited, dated 22nd January 2024
- Coal Mining Risk Assessment Report (C5219/25/E/8008), prepared by RGS Environmental Geotechnical Specialists, dated 10th June 2025
- The Statutory Biodiversity Metric V1

History of Negotiations / Amendments Received

During the course of the application, officers requested additional information to justify the proposed commercial activity and associated development within the Green Belt, having regard to the need to demonstrate Very Special Circumstances.

Further information was also sought to clarify the proposed repair and re-use of the Grade II Listed Building, including the basis on which the overall scheme would secure its long-term conservation. In addition, further ecological information was requested, including submission of the Biodiversity Metric. Additional information was also requested to clarify how the commercial element would operate. The application subsequently submitted the requested information, which has been reviewed by officers and has informed the assessment set out within the body of this report.

Relevant Planning History

There relevant planning history is as follows:

Ref: 2025/91226

Description: Listed Building Consent for Extensions and alterations of the building including the formation of new openings, unblocking of existing openings, replacement roof covering, installation of new fenestration, internal alterations and associated works

Decision: Under Consideration

Ref: COMP/24/0060

Description: Unauthorised engineering operations

Decision: Open

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 6th September 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, subject to conditions. The submitted Ecological Impact Assessment is accepted, but mitigation/controls are required for bats (including an EPS licence), barn owl protection, a reptile/amphibian PWMS, and measures covering CEMP (Biodiversity), lighting, invasive species (Himalayan balsam) and biodiversity enhancements. The BNG metric is accepted with the baseline validated, predicting an onsite net gain; this is to be secured via a long-term Habitat Management and Monitoring Plan (HMMP) (conditioned), and the ecologist recommends submission of a Biodiversity Gain Plan.

KC Highways Development Management (Written Comments) – No objection, subject to conditions. The access from Lower Quarry Road is to be improved to accommodate the increased use, including provision of minimum visibility splays of 2.4m x 43m (the existing mirror is not considered acceptable for the intensified use), and any works within the adopted highway will need to be carried out under a Section 184 agreement. The proposed parking/turning provision is considered acceptable, with conditions also required to secure surfacing/drainage of parking areas and the submission of bin storage and a refuse collection presentation point.

KC Trees (Written comments) – No objection. There are no trees protected by a TPO and no conservation area constraints affecting trees on or adjacent to the site. The proposals are considered largely sympathetic to existing trees, and the removal of three Category C trees at the site entrance is accepted as having low landscape impact. The removal of T7 is also accepted, noting its poor condition (cavities/decay and symptoms of ash dieback) and limited future viability, with T6 retained to maintain a mature tree presence in the area. The minor incursion into the Root Protection Area (RPA) of T6 is considered negligible, and the submitted Arboricultural Method Statement and Tree Protection Plan are accepted as providing appropriate measures to protect retained trees during construction.

KC Conservation Team (Written Comments) - No objection, welcoming the proposals in principle as they would bring the Grade II listed building back

into active use and help secure its long-term future. The external works are considered broadly acceptable (including the proposed window approach and use of stone slates), with materials samples recommended by condition, and the only noted concern being the proposed timber panelling over brickwork (with a suggestion to consider a more sympathetic finish depending on the brickwork beneath). Internal alterations are minimal and reversible with no objections raised, and the proposed detached workshop is considered acceptable in the setting. Overall, the scheme is considered sympathetic and compliant with Policy LP35, subject to appropriate material controls.

The Coal Authority/Mining Remediation Authority – No objection, the site lies within a defined Development High Risk Area, with Coal Authority records indicating potential mining-related hazards (including probable shallow coal workings) in the vicinity. However, the submitted Coal Mining Risk Assessment (dated 10 June 2025, RGS Ltd) is considered sufficient for planning purposes and concludes that ground stability would be acceptable, with the shallowest seam having adequate competent cover and the areas of built development not falling within the defined high-risk area. The Coal Authority notes that mine gas and SuDS interactions should always be appropriately considered by the developer/LPA as part of detailed design.

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 allocated within the Kirklees Local Plan (adopted 2019). The site is also in proximity to historic landfill sites, an area with a known presence of bats. The development relates to a Grade II listed building.

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
- LP 35** – 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 6** – Building a Strong, Competitive Economy
- Chapter 8** – Promoting Health and Safe Communities
- Chapter 9** – Promoting Sustainable Transport
- Chapter 11** – Making Efficient Use of Land
- Chapter 12** – Achieving Well-Designed Places
- Chapter 13** – Protecting Green Belt Land
- 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.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
2. Impact upon the character and appearance of the area
3. Impact upon residential amenity
4. Impact upon highway safety
5. Ecology and Biodiversity
6. Pollution Control
7. Climate Change
8. Other Matters
9. Representations
10. Conclusion

1.Principle of Development

1.1 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.

In this case, a key element of the proposal is the repair, restoration and re-use of an existing dwellinghouse/barn (a Grade II listed building) to provide a dwellinghouse as part of a mixed-use arrangement, thereby returning an existing residential unit to active use and supporting the effective use of an existing building stock. This approach aligns with Policy LP3 and Policy LP7. The proposal would also secure the long-term conservation of a heritage asset by bringing it back into viable use, which is a material benefit in principle.

However, the acceptability of the development as a whole must still be assessed against the full policy framework and site constraints. In particular, the site’s Green Belt and heritage context remain key considerations, and the proposal (including the associated commercial activity and new workshop) must be justified and found acceptable having regard to Green Belt policy requirements (including any need to demonstrate Very Special Circumstances) and the statutory and policy duties relating to listed buildings. These matters are addressed in detail within the appraisal and planning balance sections of this report.

Green Belt Considerations

The application site lies within the designated Green Belt. Paragraph 153 of the National Planning Policy Framework (NPPF) confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with openness and permanence being its essential characteristics. Paragraph 154 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances.

The proposal comprises the repair, extension and re-use of an existing Grade II Listed Building to form a single dwelling, including commercial storage, together with a new detached commercial storage/workshop building, including access and hardstanding areas.

Whilst the re-use of building and extensions/alterations in the Green Belt may attract limited support under Paragraph 154(h)(iv) and Paragraph 154 (c) of the NPPF, in this case, the proposal includes the introduction of a new commercial building and associated activity. As such, the development goes beyond the simple re-use and extend, and does not fall within the listed exceptions to inappropriate development.

The proposal therefore constitutes inappropriate development in the Green Belt and constitutes definitional harm, to which substantial weight must be attached.

Very Special Circumstances

Paragraph 154 of the NPPF makes clear that inappropriate development should not be approved except in Very Special Circumstances (VSCs), which will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.

In this case, officer consider that VSCs arise by virtue of the exceptional heritage benefits associated with the proposal. The development is understood as a form of heritage-led enabling development, the purpose of which is to secure the repair, restoration and long-term conservation of a Grade II Listed Building that is currently in a poor and deteriorating condition.

The submitted structural appraisal confirms that parts of the building have already suffered partial collapse and that, without substantial intervention, there is a clear risk of further structural failure and irreversible harm to the significance of the heritage asset. The evidence demonstrates that the building cannot be retained in its current condition and that remedial works are both necessary and urgent to prevent continued decline. KC Conservation Team, agree with this position.

The applicant has provided a detailed and itemised schedule of repair works, support by professional quotations, identifying repair and rebuilding costs in excess of £116,000. These include the rebuilding of collapsed stone walls, reroofing in traditional stone slate, reconstruction of the former cottage extension, replacement of windows and doors, and essential electrical and drainage works. The scale of the costs is significant and could be reasonably concluded to exceed what would normally be expected for a residential building of this size, to a degree, reinforcing the conclusion that an additional income generating use is required to make the restoration achievable in practice, subject to the resultant level of harm to the Green Belt.

The proposed biomass (light industrial) use is integral to the overall scheme and is intended to provide a sustainable means of funding both the initial restoration works and the ongoing maintenance of the listed building once repaired. The applicant outlines that the intention is to occupy the dwelling in connection with the wider site operations. Notwithstanding this, officers have given consideration to the risk that the dwelling and the commercial elements of the scheme could, in the future, become separated or operate independently of one another. Given that the VSCs relied upon in this case are founded on the commercial activity enabling the repair and long-term maintenance of the Listed Building, it is considered necessary to ensure that this functional relationship is retained. Conditions are therefore proposed to prevent subdivision or separate disposal of the dwelling and commercial development, ensuring that the circumstances relied upon in granting permission continue to apply and that the heritage benefits of the scheme are secured over the long term.

Officers are satisfied, on the basis of the submitted plans, repair cost information, structural survey and the described nature of the proposed use, that the scale of the proposed commercial building and associated activity is proportionate to the level of investment required to secure the Listed Building and does not exceed what is reasonably necessary to deliver those heritage benefits. In reaching this view, officers have had regard to the functional requirements of the use and the need to contain activity within a defined area of the site. The provision of a single purpose built building allows the activity to be accommodated within a controlled envelope, reducing the likelihood of dispersed storage, temporary structures or incremental encroachment across the site.

Officers have also had regard to the realistic fallback position. In the absence of any planning history or proposed development, there is no evidence before the Council to suggest that the Listed Building would be repaired or brought back into viable use by other means. Given its current condition, continued vacancy would be likely to result in further deterioration and potential loss of historic fabric, contrary to national heritage policy objectives.

When weighed against the harm to the Green Belt arising from the inappropriate development and its limited impact on openness, officers consider that the substantial public benefits associated with the conservation and long-term securing of a designated heritage asset carry very significant weight. These benefits are considered to clearly outweigh the identified Green Belt harm.

Impact on the Openness

In assessing the impact of the proposal on the openness of the Green Belt, regard has been had to both spatial openness (the physical presence and scale of development) and visual openness (the perception of openness in the landscape).

Spatial

The existing Grade II listed building has a footprint of approximately 162 square metres. The proposed works would increase this to approximately 174 square metres, representing a modest increase of around 12 square metres, which remains closely related to the footprint of the existing structure. Whilst there would also be a limited increase in volume by way of a first-floor extension, this would remain largely within the established built envelope of the building and would not materially alter its spatial presence within the site.

The proposal also includes a new detached storage/workshop building with a footprint of approximately 256 square metres, an eaves height of circa 4.7 metres and a pitched roof rising to the centre. The introduction of this building would result in additional built form within the Green Belt. However, it would be sited immediately adjacent to the listed building and would form part of an existing cluster of development, rather than extending built form into the wider site. The workshop would accommodate storage and operational activity within a single defined structure, reducing the likelihood of dispersed storage or incremental encroachment across the land.

Whilst the proposal would increase the overall quantum of development within the Green Belt, it would remain concentrated within a clearly defined envelope adjacent to the existing building and would not result in the spread of development into the surrounding fields or open countryside. As such, the proposal would not give rise to unrestricted sprawl or a material extension of development beyond the established developed area of the site.

The proposed extensions to the Grade II Listed Building would result in a modest increase in built form within the Green Belt by way of both footprint and volume. However, these works remain closely related to the scale, form and envelope of the existing structure and would not project development materially beyond its established footprint. As such, whilst the extensions contribute to a limited reduction in openness by reason of increased built form, they would not result in the spread of development across the site or into the surrounding open countryside.

Visual

In visual terms, the site is already characterised by the presence of the listed building, areas of hardstanding and an access track. The wider context includes the adjacent railway corridor and former quarry land, which already influence the perception of openness and rural character in the immediate area.

The proposed workshop would be positioned to the west of the listed building and would be perceived in the context of the existing built cluster rather than as an isolated structure in the landscape. Its simple, utilitarian form and agricultural appearance would reflect the functional nature of the use. When viewed from Lower Quarry Road, the building would sit on lower ground relative to the road level, limiting its prominence in public views. Views from

the north, including from the railway corridor, would be more open; however, the building's scale, form and siting would ensure it does not appear visually incongruous within its rural setting.

The extent of new hardstanding would be limited to that necessary to serve the proposed development and would relate directly to the proposed access arrangement. Whilst this would introduce hardstanding within areas that are currently undeveloped, its extent would remain contained and closely associated with the operational needs of the site. The use of appropriate surface materials and detailing could be secured by condition to mitigate visual impacts and ensure the development responds appropriately to its rural context.

Conclusion Green Belt Considerations

The proposal constitutes inappropriate development in the Green Belt and, by definition, results in harm to the Green Belt to which substantial weight must be attached. That harm arises from the introduction of additional built form and associated activity and includes impacts on both the spatial and visual openness of the Green Belt, as set out above.

However, the proposal has been carefully assessed having regard to its specific circumstances. Officers consider that very special circumstances exist by virtue of the exceptional heritage benefits arising from the repair, restoration and long-term securing of a Grade II listed building that is currently in a poor and deteriorating condition, for which there is no realistic prospect of repair or reuse in the absence of the proposed development. The commercial element of the scheme is integral to delivering these benefits and has been found to be proportionate in scale, functionally necessary and capable of being appropriately controlled to ensure it remains linked to the conservation of the listed building.

When taken together, these considerations are afforded very significant weight and are considered to clearly outweigh the harm to the Green Belt arising from the inappropriate development, including its impact on openness. On this basis, the proposal is considered to comply with national Green Belt policy as set out in paragraph 154 of the National Planning Policy Framework.

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 requires 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)

Bradley Hall is a Grade II Listed Building of special architectural and historic interest, dating from the 17th Century with later alterations. It is constructed in hammer-dressed stone beneath a pitched stone slate roof, reflecting traditional local building techniques and materials.

The building comprises a historic house and attached barn, with key features including stone mullioned windows, traditional door opening and surviving agricultural elements which illustrate its historic function and evolution over time. Later additions, including a 19th century brick extension, form part of the buildings historical development.

The building also has historic significance as part of a former grange associated with Fountains Abbey, reinforcing its importance within the historic agricultural landscape. Its significance therefore derives from its age, architectural form, materials, historic function and wider historic associations.

Scale of Harm and Public Benefits

The proposed works have been assessed having regard to the significance of the Grade II Listed Buildings and its setting. The alterations to the Listed Buildings are limited in extent and largely confined to repair, reinstatement and modest extensions that remain closely related to the historic form and footprint of the building. External alterations are sympathetic in scale, design and materials, and internal changes are minimal and largely reversible.

The replacement of the later derelict extension and the introduction of carefully detailed new openings would not erode the buildings historic fabric or legibility and would preserve its architectural and historic interest. The proposed detached workshop, whilst introducing new development within the setting of the listed building, is sited at a sufficient distance and designed in a simple, utilitarian form such that it does not compete with or dominate the heritage asset.

Overall, the proposal would result in less than substantial harm, to the significance of the Grade II Listed Building and its setting. Any harm is considered to be at the lowest end of the spectrum and is clearly outweighed by the substantial public benefits arising from the repair, restoration and long-term securing of a viable use for the designate heritage asset in accordance consistent with Paragraph 215 of the NPPF and Policy LP35 of the Kirklees Local Plan.

3. Impact on Visual Amenity

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.

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.

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

Taking cues from the character of the built and natural environment within the locality.

Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.

Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context."

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

12 states parking to the front will need creative design solutions to be incorporated.

Principle 6 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.

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.

The site is already characterised by the presence of the listed building, areas of hardstanding and an access track, together with the adjacent railway corridor and former quarry land. As such, the site does not form part of an entirely undeveloped or visually pristine landscape.

The proposed workshop/storage would be read in the context of the existing listed building, rather than as isolated. Its simple form and agricultural appearance, with a green profiled metal clad roof, sawn treated timber plank panels to walls on a reclaimed stone plinth and partially open frontage, would reflect the functional nature of the use and ensure that it sits comfortably within its rural context. The siting of the proposed unit, at a lower ground level relative to Lower Quarry Road would limit its prominence from public views, and whilst views from the north and the railway corridor would be more open, the proposed design composition would prevent it from appearing visually dominant or alien within the context.

The proposed works to the Listed building would be limited in extent and focuses primarily on repair, reinstatement and modest extension of the existing structure. The alterations would respect the established scale, form and proportions of the historic building and would utilise traditional materials, including stone, timber joinery and stone slate roofing, consistent with the buildings historic character. The replacement extension with its low and clearly subservient profile, would preserve the legibility of the original building form, with restrained and proportionate new openings.

The extents of new hardstanding would be limited to that necessary to serve the proposed development and would remain closely associated with the operational area of the site. Subject to appropriate conditions to control materials and surface finishes, this element of the proposal would be considered acceptable.

The proposed boundary treatments comprise the use of traditional stone walling around the principal areas of the site, including along the southern and western boundaries together with internal stone walling where appropriate to define functional areas within the site. In addition, the submitted plans show planted hedgerow screening around the proposed workshop/storage building and areas of soft landscaping are proposed within the site to serve as private amenity space and break up areas of harder surfaces.

The preliminary approach to landscaping and boundary treatments indicates a robust and visually appropriate means of enclosure in principle, with any additional planting softening the appearance of new built form and soft landscaping reducing the impact of operation development. Subject to appropriate conditions securing details of boundary treatments and landscaping, the proposal is considered acceptable in terms of visual amenity.

In all, subject to appropriate conditions, it is therefore considered that the proposal would represent an acceptable form of development that integrates appropriately with its surroundings and accords with Policies LP1 and LP24 of the Kirklees Local Plan.

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 application site is located in a remote rural location, with no residential properties in the immediate vicinity. The nearest residential receptors are located approximately 330m to the south-west of the site, separated by open land and intervening topography. Given the substantial separation distances, it is not considered that the introduction of a detached building nor the extension to the listed building would have an adverse impact on the amenity of neighbouring properties. Similarly, given the separation distance, it is not considered that the proposed commercial activity would give rise to noise, disturbance or general site activity. Any operational impacts would largely dissipate well before reaching residential receptors. It is recommended that conditions are attached to the decision to ensure operational hours are restricted to between 08:00 – 16:00 Monday to Saturday, with no operation on Sundays or Bank Holidays, along with a condition restricting to the use to that which has been described as part of the application. In light of the above, it is not considered that the proposal would result in an adverse impact on the amenity of neighbouring occupiers, in accordance with Policy LP24.

Future Occupiers

The proposed dwelling would be formed through the re-use of an existing building which has historically been occupied as a dwelling in this location. As such, the proposal does not introduce a new residential receptor into the area,

nor does it materially change the relationship between residential accommodation and the surrounding environment, including the adjacent railway corridor.

The dwelling would remain in the same position and within the same established setting as the existing build, and future occupiers would experience broadly the same baseline conditions as historically associated with residential use at the site. Whilst the proposal includes a commercial storage and workshop use within the wider site, this would operate in connection with the dwelling which would not, by its nature or scale, indicate a significant increase in noise or disturbance. It is considered necessary to ensure the uses do not become disaggregated through inclusion of an appropriately worded condition. Were the use of the dwelling not by an occupier associated with the other uses the subject of this application there is potential for the amenity of the residential occupier to be significantly impacted upon through noise / disturbance associated with the use to which they have no control.

It is acknowledged that the commercial use may give rise to vehicle movements, including occasional HGV activity; however, given the separation between the workshop and the dwelling, the functional relationship between the uses, and the existing context of the site, this would not result in unacceptable living conditions for future occupiers on the basis the uses are linked and not disaggregated.

The proposed dwelling would provide 3 bedrooms for 6 people and have a Gross Internal Area of 133sqm, exceeding the required 103sqm set out in the National Described Space Standards. The dwelling would also be served with vertical windows, providing good access to daylight, sunlight, ventilation and outlook in habitable rooms.

The proposal is considered to deliver a good standard of accommodation 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 accessed via Lower Quarry Road, a narrow adopted road which benefits from passing places and connects to the wider highway network via the A62 (Leeds Road). The Highway Authority has raised no objection to the proposal in principle.

The proposal comprises a dwelling and an attached workshop. The applicant has advised that the workshop element would generate circa four vehicle trips per day, and when considered alongside the residential use, would result in an overall increase of around ten daily vehicle movements. Given the modest scale of the proposed operation and the existing access arrangements, this level of traffic generation is not considered to result in a severe residual impact on the local highway network.

The Highways Development Management Team have identified that the existing access arrangements will require improvement to accommodate the increased use of the site. Visibility splays of 2.4m by 43m are required to be provided and maintained in both directions. Whilst a mirror is currently present at the access to address restricted visibility, this is not considered acceptable alone, in light of the increased use of the access. Accordingly, the provision and retention of the required visibility splays can be secured by condition.

Any alterations to the access within the adopted highway will be required to be carried out under a Section 184 agreement of the Highways Act 1990. This requirement will be appropriately addressed by way of an informative to ensure the applicant is aware of the necessary separate approvals.

The submitted layout demonstrates that sufficient on-site parking, turning and manoeuvring space is available to serve both the residential and workshop uses, ensuring vehicles can enter and exit the site in a forward gear. The Highways Development Management Team are satisfied that the proposed parking provision is acceptable. A condition can be imposed to ensure the approved parking areas are surfaced and drained appropriately.

Details of refuse storage and collection have not been provided. However, this matter can be satisfactorily addressed through the submission of details via condition to ensure that refuse presentation does not obstruct parking, access or the adopted highway.

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 Ecological Impact Assessment has been reviewed by the Council's Ecology Team and is considered reasonable and acceptable. Bradley Park Woods Local Wildlife Site is located approximately 200m to the south-west of the site, and given the distance, scale of development and nature of the proposals, no adverse impacts on designated sites are anticipated. On-site surveys identified ecological constraints including a single brown long-eared bat roost, evidence of barn owl activity, and the presence of Himalayan balsam. The development will require mitigation in respect of European Protected Species, with works subject to an EPS mitigation licence from Natural England, alongside conditions and informatives controlling the timing of works, precautionary working methods, lighting, invasive species management and biodiversity protection during construction.

Whilst a condition relating to invasive species is recommended by the Ecology Team, in this case given the nature of the proposal being redevelopment of an existing site it is considered it would be unreasonable of the LPA to insist upon submission of details relating to invasive species in this case given their control is possible through separate legislation. An informative note would be included upon any grant of permission drawing the applicants attention to this.

Biodiversity Net Gain

The proposal delivers a measurable Biodiversity Net Gain in accordance with national requirements. The submitted Biodiversity Net Gain assessment predicts an on-site net gain of 1.41 habitat units and 1.79 hedgerow units, achieved through habitat creation and enhancement of low to medium distinctiveness habitats. These gains will be secured through the Biodiversity Net Gain condition in place by virtue of Schedule 7A of the Town and Country Planning Act 1990 (as amended).

Subject to the recommended conditions, it is considered that the proposal would comply with Policy LP30 and LP33 of the Kirklees Local Plan, Chapter 15 of the NPPF and the Environment Act 2021.

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 site is not subject to any Tree Preservation Orders, nor is it located within a Conservation Area. The submitted Arboricultural Method Statement and Tree Protection Plan have been reviewed by the Councils Tree Officer and are considered acceptable. The proposed removal of three category C trees at the site entrance is supported, as these trees make a limited contribution to the immediate area and their loss would not result in an adverse impact on the character of the landscape.

The removal of Tree T7 is considered acceptable given its poor condition. The retention of Tree T6 ensures continued mature tree presence within this southern section of the site, and the minor infringement into the Root Protection Area is not considered to result in any lasting harm. Subject to the implementation of the approved tree protection measures during construction, and these being secured by condition, the proposal is not considered to give rise to unacceptable impacts on trees 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.

Coal Mining

The application site lies within a defined Coal Authority Development High Risk Area where historic shallow and potentially unrecorded coal mining activity is likely to have taken place. In such, location, voids and disturbed ground associated with past workings can present a risk to ground stability and public safety, and there is also potential for mine gas to be present. A

Coal Mining Risk Report (June 2025) has been submitted in support of the proposal and has been reviewed by The Coal Authority.

The Coal Authority has confirmed that the report correctly identifies that the application site may be subject to past coal mining activity and has been informed by an appropriate range of sources of information. Based on this review of existing sources of geological and mining information the Report confirms that the shallowest coal seam will have sufficient competent rock cover above it to afford ground stability. This is further reinforced in that those areas where built development is proposed are not within the defined Development High Risk Area. On this basis, the Coal Authority considered the content and conclusions of the supporting Coal Mining Risk Assessment Report sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable. The Coal Authority therefore has no objection to the proposed development.

Contaminated Land

The application site is located within the historic landfill buffer zone and within an identified landfill gas area. In addition, the site has historically been in agricultural use, which may give rise to potential sources of contamination such as made ground, fuel or chemical storage and other agricultural sources. Whilst the site has previously accommodated a dwelling, the proposal involves new built development, extensions, potentially associated hardstanding and services, which will result in additional ground disturbance beyond that which has previously occurred.

Given the proposed residential use, which represents a sensitive end use, and the extent of proposed groundworks, it is recommended that phased contaminated land conditions are included, initially requiring the submission of a Phase 1 Preliminary Risk Assessment to identify potential sources, pathways and receptors, including consideration of landfill gas risks. Where the Phase 1 identified unacceptable risks, a Phase 2 Intrusive Investigation and, if necessary, remediation strategy and verification report prior to occupation. Subject to these conditions, the site is considered capable of being made suitable for its intended use.

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.

8.Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon

target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

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

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

The application was accompanied by a Climate Change Statement, setting out that the proposed dwellings would be designed to minimise carbon emissions through passive construction methods, using locally sourced and durable materials capable of recycling or re-use. Energy efficient lighting would be installed, and while no cooling plant is proposed, overheating would be mitigated through design.

Taken together, these measures demonstrate a proactive approach to addressing climate change and align with the aims of Chapter 14 of the NPPF, Policies LP24(d) and LP26 of the Kirklees Local Plan and the wider aims of the Council.

9. Other Matters

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.

Pre-Commencement Conditions

In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant has agreed in writing (via email) to the imposition of the pre-commencement conditions attached to this decision. These include the submission of:

- A Construction Environmental Management Plan (CEMP: Biodiversity), in the interests of biodiversity and in accordance with Policy LP30 of

the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

- A Hedgerow and Tree Protection Plan detailing measures for the protection of trees and hedgerows during the works, of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.
- A Biodiversity Enhancement and Management Plan, in the interests of biodiversity and ecological connectivity, in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.
- An invasive species survey and appropriate removal and / or management plan, In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan, Chapter 15 of the National Planning Policy Framework 2024 and The Wildlife and Countryside Act 1981 (as amended).
- A Preliminary Risk Assessment (Phase I Desk Study Report), with subsequent Phase 2 Intrusive Investigations, Remediation and verification (if required), to ensure adequate site investigations are undertaken at an appropriate time, 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.

Confirmation of agreement was received on 2nd March 2026 via email from the applicants agent.

10. Representations

There were no public letters of representation received.

11. Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation: Delegated Powers

Application Number: 2025/91225
Officer Recommendation: APPROVE

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.

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

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP7, LP20, LP21, LP22, LP24, LP28, LP30, LP33, LP35, LP51, LP52 and LP53 of the Kirklees Local Plan, the adopted Housebuilders SPD and Chapters 2, 4, 5, 6, 8, 9, 11, 12, 13, 14, 15 and 16 of the National Planning Policy Framework.

3. The commercial use hereby permitted shall operate only between 08:00 and 16:00 Monday to Saturday with no operation on Sundays or Bank Holidays

Reason: In the interests of protecting the amenity of nearby residential properties and to ensure that the scale and intensity of the development remains proportionate within the Green Belt, in accordance with Policies LP24 and LP51 of the Kirklees Local Plan and Chapters 12 of the National Planning Policy Framework.

4. No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall not be brought into use until it has been completed in accordance with the approved details.

Reason: In the interest of visual amenity and to preserve the character of the heritage asset in accordance with Policy LP24 and LP35 of the Kirklees Local Plan, the Kirklees Housebuilders Design Guide Supplementary Planning Document and policies within Chapters 12 and 16 of the National Planning Policy Framework 2024.

5. The dwelling and commercial storage/workshop hereby approved shall not be subdivided, leased, sold or otherwise disposed of separately and shall remain within a single planning unit, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the Very Special Circumstances relied upon to justify the development continue to apply, that the heritage benefits of the scheme are secured over the long term and residential amenity of future occupiers in accordance with policies within chapters 12, 13 and 16 of the National Planning Policy Framework.

6. The commercial element of the development hereby permitted shall be used only for the storage and processing (including chipping) of virgin wood arising from arboricultural and landscaping operations for the production of biomass fuel, and for no other purpose including any other purpose within Class E(g) (iii), B2 or B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that the development remains of a scale and nature proportionate to the very special circumstances advanced and to safeguard the openness and character of the Green Belt, in accordance with Policies LP3 and LP24 of the Kirklees Local Plan and policies within Chapters 12 and 13 of the National Planning Policy Framework.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2025 (or any order revoking and re-enacting that order with or without modification), no development shall take place within the curtilage of the dwellinghouses hereby approved which falls within Schedule 2, Part 1, Classes A, AA, B, C, D, E, F and Schedule 2, Part 2 Classes A and B without the prior written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and so as to preserve the openness of the Green Belt in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 and 13 of the National Planning Policy Framework.

8. Unless otherwise agreed in writing, prior to the development being brought into use, the approved vehicle parking and turning areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th

May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained.

Reason: In the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

9. The development shall be carried out strictly in accordance with the approved Arboricultural Impact Assessment (ref 21655-A/AJB) and Arboricultural Method Statement (ref: 21655-B/AJB), prepared by JCA Limited Arboricultural & Ecological Consultants, dated 19th April 2024, unless otherwise agreed in writing by the Local Planning Authority. All approved tree protection measures shall be installed prior to the commencement of any works on site (including site clearance, demolition, groundworks or delivery of materials) and shall be retained and maintained for the duration of construction.

Reason: To ensure the protection and long term health of the mature trees adjacent to the site, in accordance with Policy LP33 of the Kirklees Local Plan and policies within Chapter 15 of the National Planning Policy Framework.

10. Prior to the commercial element of the development hereby permitted being brought into use visibility splays of 2.4m by 43m shall be provided at the site access. Thereafter these visibility splays shall be retained free of obstruction above 1m in height.

Reason: In the interests of highway safety in accordance with Policy LP21 of the Kirklees Local Plan and policies within Chapter 9 of the National Planning Policy Framework.

11. Prior to the first occupation of the development hereby approved, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation and thereafter retained and maintained in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to safeguard visual amenity in accordance with Policy LP24 of the Kirklees Local Plan, the Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.

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

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

13. Prior to the first occupation of the development, details of refuse and recycling storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of bin storage areas and the method of refuse presentation for collection. The approved arrangements shall be implemented in full prior to first occupation and shall thereafter be retained for the lifetime of the development.

Reason: To ensure satisfactory refuse storage and collection arrangements are provided in the interests of visual amenity, residential amenity and highway safety, in accordance with Policies LP24 and LP21 of the Kirklees Local Plan, the Housebuilders Design Guide SPD and Chapters 9 and 12 of the National Planning Policy Framework

14. 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), shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting scheme shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. The installation of any external lighting shall be in accordance with the specifications and locations set out within the lighting scheme approved by this condition.

Reason: In the interests of biodiversity to accord with policy LP30 and policies within Chapter 15 of the National Planning Policy Framework.

15. No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Summary of potentially damaging activities
- b) Identification of "biodiversity protection zones"
- c) Pollution Prevention Plan for the watercourse (using good practice guidance such as CIRIA C532)

- d) 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)
- e) The location and timing of sensitive works to avoid harm to biodiversity features.
- f) The times during construction when specialist ecologists need to be present on site to oversee works.
- g) Responsible persons and lines of communication.
- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- i) Use of protective fences, exclusion barriers and warning signs.

The submitted CEMP: Biodiversity must also include the following specific plans / documents:

- Pollution Prevention Plan for the watercourses and ponds near the site (using good practice guidance such as CIRIA C532)
- Mitigation / precautionary measures for the Bradley Park Woods LWS

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity to accord with policy LP30 and policies within Chapter 15 of the National Planning Policy Framework.

16.A Hedgerow and Tree Protection Plan detailing measures for the protection of trees and hedgerows during the works shall be submitted to and approved by the LPA prior to the commencement of works on site, including site clearance and delivery of materials. Hedgerow and tree protection measures shall include temporary fencing for the protection of hedgerows in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations. The Tree Protection Plan shall include details of root protection fencing which defines the works exclusion zone around hedgerows and trees. Activities liable to be harmful to hedgerows and trees are prohibited within this exclusion zone, unless agreed in writing with the LPA. The approved hedgerow and tree protection measures will remain in place until the completion of development or unless otherwise agreed in writing with the LPA.

Reason: In the interests of biodiversity to accord with policy LP30 and policies within Chapter 15 of the National Planning Policy Framework.

17. Prior to the commencement of development, a Biodiversity Enhancement and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall

include details of measures to enhance biodiversity on site, which shall as minimum provide for:

- 1no. barn owl box
- 3no. tree mounted bat boxes
- 1no. kestrel nest box
- 2no. integrated bat boxes
- 2no. bat slates

The Biodiversity Enhancement and Management Plan approved by this condition shall be implemented in accordance with the approved details prior to first occupation of the development and retained thereafter.

Reason: To ensure the development delivers measurable biodiversity enhancements on site, in the interests of biodiversity and ecological connectivity, in accordance with Policy LP30 of the Kirklees Local Plan and policies within Chapter 15 of the National Planning Policy Framework.

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

Reason: This is a pre-commencement condition to ensure adequate site investigations are undertaken at an appropriate time, 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.

19. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 18, groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure adequate site investigations are undertaken at an appropriate time, 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.

20. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 19, 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: This is a pre-commencement condition to ensure that adequate remediation measures are undertaken at an appropriate time, 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.

21. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 20. 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: This is a pre-commencement condition to ensure that adequate remediation measures are undertaken at an appropriate time, 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.

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

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Paragraph nos. 196 and 197 of the National Planning Policy Framework 2024.

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: Schedule 9 of the Wildlife and Countryside Act 1981 lists non-native species that are considered harmful to native biodiversity and habitats in the UK. It is illegal to release, plant, or allow these species to grow in the wild. It is illegal to release, plant, or allow these species to grow in the wild.

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 their roosts are protected under the Conservation of Habitats and Species Regulations 2017. A licence from Natural England may be

required prior to works affecting bats. The application is advised to contact Natural England.

NOTE: Barn owls Commencement of work must be timed to avoid the nesting bird season. Barn owls can nest at any time of year and are a species listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) which makes it illegal disturb them, or their young during nesting. Therefore, it is also recommended that a check for active nests is undertaken by a suitably qualified ecologist prior to the start of works. If an active nest is present, the nest must be retained, and disturbing work should be delayed until the young have fledged.

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](#)

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.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan			19/06/2025
Site Plan	NDP/390/SP		19/06/2025
Existing Plans And Elevation	01		19/06/2025
Proposed Site Plan	05		19/06/2025
Renovated Barn / Cottage Plans And Elevations As Proposed	03		19/06/2025
Proposed Workshop / Shed Plans And Elevations	04		19/06/2025
Heritage Statement	2502003	V1	19/06/2025
Structural Appraisal Report	MDL – 9683		19/06/2025
Planning Statement	2502003		19/06/2025
Ecological Impact Assessment	MBE/ECO/2024/001/01		19/06/2025
Arboricultural Impact Assessment	21655-A/JB		19/06/2025
Arboricultural Method Statement	21655-B/JB		19/06/2025
Coal Mining Risk Assessment Report	C5219/25/E/8008		19/06/2025
The Statutory Biodiversity Metric V1			26/08/2025

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, additional information was sought and subsequently provided to address Green Belt justification, heritage matters and ecological requirements, enabling the application to be determined.

