

**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:	2025/62/91238/W
Site Address:	Moss Edge Farm, Moss Edge Road, Holmbridge, Holmfirth, HD9 2SD
Description:	Change of use and alterations to agricultural barn to form dwelling with car port and water storage extension
Recommending Officer:	Joanna Rednall

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: 29th August 2025

The Site

The application site relates to Moss Edge Farm, specifically a single stone-built building located to the west of the cluster of three buildings, approximately 1km south of Holmbridge. They are accessed by means of Moss Edge Road, a private track which proceeds north off the adopted Hollin Brigg Lane close to the junction with Woodhouse Lane, serves at least four other dwellings close to the adopted highway, then continues as a private track to serve Moss Edge Farm. The total distance from the buildings to the adopted highway is roughly 800m. The middle and upper parts of its length, which serve Moss Edge Farm only and are in their ownership, are surfaced in tarmac.

The site is designated Green Belt on the Kirklees Local Plan map.

The Proposal

The applicant is seeking planning permission for change of use and alterations to agricultural barn to form dwelling with car port and water storage extension.

The dwelling would serve an open-plan kitchen, dining and living space at ground floor as well as a utility, store, w.c., and water storage. At first floor, the dwelling would serve four bedrooms, four bathrooms, and a store room.

The proposed car port would project ~3.7m from the south-west facing elevation and measures ~6.5m in depth. The car port is designed with a pitched roof reaching a total height of ~4.2m, and is constructed using timber with a stone tile roof. The water storage extension is to the front/south-east of the dwelling, measuring ~2.4m x 1.8m, and ties into the existing roof.

Externally, the following alterations are proposed to the dwelling:

- South-east elevation – two door openings, three windows, and three rooflights.
- South-west elevation – three windows, bat box, and air source heat pump.
- North-west elevation – one door opening, two ground floor windows and three first floor windows.
- North-east elevation – bi-folding doors and one window at first floor.

History of Negotiations

Officers contacted the agent regarding conditions relating to the previous application.

Planning History

Relevant planning history for this site is summarised as follows:-

- 2023/91342 – Prior Notification for change of use from agricultural building to three dwellings with associated works. Details Approved.

Also considered to be of relevance to the consideration of this application is the following planning history.

- 2024/90476 – Demolition of Pole Barn and erection of one dwelling. Granted Conditional Full Permission.
- 2024/91893 – Part demolition and conversion of agricultural buildings to form 2 dwellings with associated parking and landscaping. Conditional Full Permission.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice.

Final publicity date expired: 4th July 2025

No representations were received as a result of the publicity.

Holme Valley Parish Council - Support in principle but unsure about technicalities around size of extension.

Consultations

No statutory consultations were requested for this application.

Allocation & Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The

statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP3 Location of new development
- LP11 Housing mix and affordable housing
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP31 Strategic Green Infrastructure Network
- LP35 Historic Environment
- LP51 Protection and Improvement of Local Air Quality
- LP52 Protection and Improvement of Local Environmental Quality
- LP53 Contaminated and Unstable Land
- LP57 The extension, alteration or replacement of existing buildings
- LP60 Re-use and Conversion of Buildings

Holme Valley Neighbourhood Development Plan

The following policies of this plan are considered most relevant:

- Policy 1 – Protecting and Enhancing the Landscape Character of the Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 12 – Promoting Sustainability
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th 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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Kirklees Highway Design Guide (November 2019)

Holme Valley Neighbourhood Development Plan

Legislation

The Town & Country Planning Act 1990 (as amended).

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 visual amenity
3. Impact upon residential amenity
4. Impact upon highway safety
5. Other matters
6. Representations
7. Conclusion

1 – Principle of 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 favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and as such it is accepted that relevant Local Plan policies for the supply of housing land are out-of-date. This now triggers the NPPF presumption in favour of sustainable development.

As set on in NPPF paragraph 11d, 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.”*

Policy LP7 of the Kirklees Local Plan states encourages the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value and a net density of at least 35 dwellings per hectare should be provided. Principle 4 of the Housebuilders Design Guide seeks to ensure a density of 35 dwellings per hectare or more is achieved. Where a density of 35 dwellings per hectare cannot be achieved, policy LP7 sets out that lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs.

The overall site area would result in a significantly lower development density, primarily due to the inclusion of the access route, which accounts for a substantial portion of the site's total size. The accompanying Planning Statement sets out that *“As part of the Class Q application, which allows the conversion of agricultural buildings to residential dwellings under certain conditions, the proposal complies with limits in terms of floor area and is within the upper limit of 465 sqm for larger dwellings. The building was deemed to be structurally sound and able to be converted as confirmed by the*

structural appraisal. In addition, the site was used solely for agricultural reasons from 20th March 2013 to the time when it was sold to the previous owner on 10th May 2022. No agricultural tenancy exists and the site is not on protected land. Necessary building operations as shown in the proposals such as windows, doors and insulation measures are within Class Q allowances.”

The statement sets out the principle of changing the barn to a 4-bed dwelling met the requirements of the Class Q permitted development (ref: 2023/91342), therefore the principle for the change of use for residential development has previously been established in site. A more detailed assessment of the proposal’s design and its impacts on visual and residential amenity, highway safety and other relevant considerations, is undertaken in the following report. The conclusion section of this report sets out the conclusions in relation to the principle of the development in light of all other material considerations.

Land Allocation (Green Belt)

The application site is located within the Green Belt. As such the proposal falls to be assessed against Chapter 13 of the NPPF. Chapter 13 of the NPPF 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, engineering operations, and the extension and alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

All of the exceptions listed above (detailed in paragraphs 154 and 155 of the NPPF) could be applicable in this case provided that the proposed development preserves openness and does not conflict with the purposes of including land within the Green Belt.

Policy LP60 of the Kirklees Local Plan reiterates the first exception as stated above, by stipulating that the conversion or 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.
- b) The resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape.
- c) The design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting.

Policy LP57 of the Kirklees Local Plan relates to the extension, alteration or replacement of existing buildings. Noting that:

- a) *in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;*
- b) *in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing;*
- c) *the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and*
- d) *the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting’.*

This application seeks planning permission for change of use and alterations to agricultural barn to form dwelling with car port and water storage extension. The submitted Planning Statement sets out that while the design of the barn utilises the existing structure and therefore would not deviate majorly from the approved development, two additions are proposed in the form of water storage facilities and the side car port. The planning statement goes further to explain the water storage extension to the front follows the existing roof line and would not detrimentally impact the openness of the green belt or detract from the overall aesthetic of the barn building.

With regard to the car port, the statement sets out the following: *“The car port is in keeping with the agricultural appearance of the adjoining farm building and has been left open to reduce any impact on the openness of the green belt setting. Adding the car port to the design does not detract from the overall appearance of the farm setting and makes the parking arrangement around the courtyard less congested. The previously consented parking spaces for the North Barn and The Stables are unchanged.”*

When assessing the proposal within the Green Belt, a key policy consideration is whether any new extensions or alterations would constitute disproportionate additions to the original dwelling. Disproportionate additions can harm the openness of the Green Belt and conflict with the aims of Chapter 13 of the NPPF and Policy LP57 of the Kirklees Local Plan.

The proposed development comprises two additions to the existing building, of which does not appear to have been previously extended. These additions include a car port to the side and a single-storey extension to the front. The design of the front extension is sympathetic to the original dwelling, incorporating traditional materials that match the host property, and although

located to the front, the extension has been designed to appear subordinate in scale and form ensuring it does not result in a significant increase in the building's overall bulk or massing. For these reasons, this element of the proposal is considered to have a neutral impact on the openness of the Green Belt.

With regard to the proposed car port, its lightweight, open-sided design ensures it would not appear as a visually intrusive or discordant feature. Due to its modest scale and form, it is considered to have a neutral impact on the openness of the Green Belt and would not conflict with the purposes of including land within it.

Taking both elements of the proposal into account, the cumulative impact of the development is not considered to result in disproportionate additions over and above the size of the original building. The host dwelling would remain the dominant built form on the site, and the proposed extensions are considered to respect the character and setting of the existing property.

Turning to policy LP60, the proposal is considered in the context of the planning history and previous approval for prior approval. The building is of permanent / substantial construction and given the realistic fall back which exists it is considered it would not significantly urbanise the site over and above that which can take place in any event. The design and materials are considered to be sympathetic and suitable as part of the development.

Paragraph 154 (h)(iv) of the NPPF sets out re use of buildings provided that the buildings are of permanent and substantial construction, preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt can be an appropriate exception. In this case, taking account the proposal is considered to be compliant with policy LP60, the proposal is considered to comply with this part of paragraph 154, particularly in light of the realistic fall back which is in place in relation to the previous approval of prior approval. Therefore the proposal is considered to meet this policy requirement.

To conclude, the proposal is not deemed as inappropriate development in the Green Belt and is considered to be compliant with Policies LP57 & LP60 of the Kirklees Local Plan and policies within Chapter 13 of the NPPF.

These conclusions are drawn on the basis of the scheme as proposed / demonstrated upon the plans. It is considered that significant additions could be undertaken under permitted development rights and it is reasonable for these to be subject to condition restricting them in this case.

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Policy 1 of the Holme Valley Neighbourhood Plan HVNP sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), in this case LCA 3 - Hade Edge Upland Pastures.

Key landscape characteristic of the area where are

- The open landscape has long distance views of the settled corridor of the River Holme and Kirklees district beyond as well as local views of open water bodies such as Boshaw Whams and Holme Styes.
- Stone boundary walls are common features creating a strong sense of visual unity.
- A network of Public Rights of Way (PRoW) follows local lanes or field boundaries. Minor roads and PRoW, including sections of the Kirklees Way and the Barnsley Boundary Walk long distance footpaths, connect farmsteads located on the valley sides. National Cycle Route no. 68 also passes through this area.

Key built characteristic of the area are

- Dispersed settlements characterised by their former domestic textile manufacturing, mill buildings and agricultural heritage along with isolated farmsteads set within an upland agricultural landscape.
- Hade Edge is the largest of the settlements containing some services and modern and older development and lies on a plateau at Dunford Road / Penistone Road.

- Former textile/woollen mills set within the valley of the River Ribble.
- Vernacular building materials include millstone grit in properties and boundary walls.

Policy 2 of the HVNP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting.

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.

With regard to the proposed layout of the site, the location of the dwelling would remain as previously approved under application 2023/91342, and the addition of the proposed extensions would not significantly alter the existing arrangements at the site. Therefore, given that the proposals will not significantly change this arrangement, the proposals are considered to accord with Principle 5 of the above SPD.

The proposed additions would be to the front and side of the property providing water storage and a canopy to the barn conversion. The front water storage extension has been integrated into the forward projection of the barn which would have an appropriate impact on the visual amenity of the barn, and the matching materials would reduce its impact on the visual amenity of the area.

Principle 6 of the Housebuilders Design Guide SPD highlights *that “the space between buildings can help maximise residential amenity in terms of maintaining privacy, reducing overlooking and ensuring natural light is able to*

penetrate buildings...normally new build development should seek appropriate separation distances for servicing, accommodating future adaptations and creating attractive street scenes. These should be in keeping with the character and context of the site and proportionate to the scale of the dwellings'.

Paragraph 7.19 of Principle 6 states that for houses two-storeys or above, there should normally be a minimum of a 2m distance from the side wall of the new dwelling to a shared boundary.

In this instance, the new dwelling would retain a separation distance of 2.7+ metres from the nearest property within the immediate vicinity of the site. Therefore, the proposals are considered to accord with Principle 6 of the above SPD.

Principle 15 of the Housebuilders design guide sets out that the design of the roofline should relate well to the site context, including topography, views, heights of buildings and the roof types. Principle 13 seeks to ensure consideration is given to use locally prevalent materials and finishing to reflect the locality.

The proposed dwelling would be of a form, scale and height which relates to the other approved dwellings within the immediate vicinity of the site and the materials would be coursed stone to match the existing buildings with stone tiling. Therefore, it is considered that the new dwelling under this application would reflect what currently exists at the site and thus also accord with Principles 13 and 15 of the above SPD.

Access is retained as existing, with a shared driveway to the west and parking to the front and side of the dwelling, as approved under application 2023/91342. Outdoor amenity space is to be provided to the north of the dwelling which would be acceptable from a visual amenity perspective.

Extensions

The proposed car port extension to the south-west side elevation of the property are considered to be of a subservient size / scale, set back from the front and side elevations of the host and of a lean-to roof form which is significantly set down from the roof pitch of the host dwelling. While it is noted the side elevation would be prominent within the wider landscape, its subservient and lightweight design would limit its visual impact and would not result in obtrusive additions.

Additional external alterations to the building include the insertion of doors and windows to the front, side and rear elevations.

These forms of glazing are considered to be in keeping with the architectural design of the other residential properties within the immediate vicinity of the site, with the details approved under application 2023/91342. In addition, the plans set out that the doors and windows will be constructed from grey aluminium / grey composite, as approved for the dwellings under application 2023/91342.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

Policy 2 of the HVNP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

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 occupiers.

Principle 6 of the Housebuilders 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 Principle 6 of the Kirklees Housebuilder Design Guide SPD states set out recommended minimum separation distances for two storey properties, these being:

- 21 metres between facing windows of habitable rooms;
- 12 metres between windows of habitable rooms that face onto windows of non-habitable rooms;

- For a new dwelling in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metre distance from the side wall of the new dwelling to a shared boundary.

Impact to Neighbouring Properties:

The application site, together with The North Barn and The Stables, were granted permission for change of use from agricultural building to three dwellings under application reference 2023/91342. The submitted elevation drawings demonstrate that the extent of fenestration would remain consistent with that previously approved, with the only alterations to this elevation comprising the insertion of a first-floor window and ground floor bi-folding doors to the north-east facing elevation as previously approved. Officers therefore consider that, due to the oblique orientation of the application site in relation to The Stables, and having regard to the extant planning consent, it is considered that the proposed development would not result in any unacceptable degree of overlooking or loss of privacy to neighbouring occupiers.

It is considered that the proposed dwelling would retain a sufficient distance from the other residential properties within the immediate vicinity of the site (The North Barn & Farm House) as to prevent undue impacts of overlooking, overshadowing and overbearing.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

Noise, Dust / Odour

Paragraph 191 of the NPPF, contained within Chapter 15, sets out that proposals should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development. Policy LP52 of the Kirklees Local Plan seeks to ensure that, amongst other things, the impact from noise for new development is acceptable.

Policy LP52 is considered to be of relevance and sets out that development which has the potential to increase pollution from noise must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level.

An Air source Heat Pump is annotated upon the plan, the noise output is not detailed however the siting is such that it would not be of a proximity to neighbouring occupiers which would warrant a requirement for a noise assessment in this case. The size and scale of this element appears to be in accordance with part 14 of permitted development rights and could likely be undertaken in any event.

Taking into consideration noise and odour pollution, given that the application seeks permission of change of use and erection of a front and side extension, and the siting of the air source heat pump, it is not considered that the proposal would give rise to any noise, dust or odour pollution over and above the existing circumstance of the surrounding area.

Amenity of Future Occupiers of the Proposed Dwelling:

Consideration must also be given to the amenity of future residents of the proposed dwelling. Principle 16 of the Housebuilders Design Guide seeks to ensure the floorspace of dwellings accord with the 'Nationally Described Space Standards' document (March 2015).

Internally, the proposed dwelling would have a GIA that would comfortably exceed the minimum space standards set out in the Nationally Described Space Standards (NDSS), with all habitable rooms having access to at least one window. Officers therefore consider that the proposed dwelling would provide an adequate standard of amenity for future occupiers in this regard.

In this case, the dwelling would have three bedrooms. It is considered that the amount of outdoor amenity space provided for the proposed dwelling would be sufficient. It is also considered that the outdoor amenity space would receive sufficient levels of sunlight. Therefore, it is considered that the proposed amenity space would meet the requirements of Principle 17 of the SPD.

In conclusion, it is considered that the proposals would not result in significant impacts on the privacy and amenity of any neighbouring occupants, complying with Policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework. The proposals are also considered to accord with Principles 6,16 and 17 of the Council's Housebuilders Design Guide SPD.

4 – Impact on highway safety:

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact on

highway safety and provide sufficient parking. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Principle 12 of the SPD sets out, amongst other things, that parking to serve dwellings should not dominate streets and should be to the side / rear.

Principle 19 of the SPD states that provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

Prior notification for change of use from agricultural buildings to three dwellings with associated works was granted on this site in December 2023 (2023/CLASS Q/91342). Whilst this proposed change of use was not supported by Highways Development Management, conditions were imposed requiring for the provision of parking spaces and six vehicle passing places between Woodhouse Lane and Moss Edge Farm, bin collection was shown to be provided from Hollin Brigg Cottages as for the existing dwellings.

The officers report for the Prior notification for change of use made the following comments regarding emergency vehicle access and gradients:

“The applicant’s agent however asserts that three full-size fire engines attended a fire at the site last winter. This is confirmed the submission of an attendance log by the local Fire Service. It is therefore considered on balance that the layout of the road does not prohibit access for large emergency service vehicles, although it may make it difficult for them”.

“Refuse vehicles will not need to negotiate the track. Steep gradients, including on parts of the adopted highway network, are a notable feature of the Holme Valley. The road does not continue to provide access to other dwellings or places of employment, nor does it carry the route of a Public Right of Way, so any residual risk arising from the steep gradients will be borne principally by the future occupants themselves and occasional visitors. It is therefore considered on balance that whilst gradients are in places more than recommended, it would, for a track serving four dwellings, be difficult to substantiate as a safety-based reason for refusal”.

The proposal under this planning application shows a 3-bedroomed dwelling adjacent to the 3-bedroom dwelling that was granted change of use by 2023/CLASS Q/91342 prior notification. Two dedicated off-street parking spaces are shown to the side of the proposed dwelling.

Given the previous approval for 3 dwellings, and that improvements have been undertaken including the provision of passing places, on balance, it is concluded that this application is acceptable with regards to impacts on highway safety.

This conclusion is cognisant of the conclusions drawn in the consideration of application 2024/91893 whereby it was noted that the previous Class Q consent was subject to a unilateral undertaking which related to a winter maintenance schedule. This was included to ensure the proposal passed the test in relation to 'Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use'.

This application, seeking planning permission, is a separate consent process compared to the process followed for the Class Q consent (prior approval via permitted development regulations).

Weight is afforded the planning history for the wider site, it is considered necessary to include conditions requiring surfacing and also provision of passing places. On the basis of inclusion of such conditions the proposal is considered to be acceptable with regard to access and highway safety.

The submitted site plan shows the development would provide at least 3 parking spaces, one within the car port and in the area to the front of the dwelling. This is considered to be sufficient subject to condition requiring suitable surfacing to this area.

For these reasons, subject to conditions, the proposed development is considered to comply with the requirements of LP24 part d(vi), LP43 and the Kirklees Highway Design Guide SPD.

5 – Other matters:

Ecology

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 7 of the Housebuilders Design Guide Supplementary Planning Document is also of relevance. Which seeks to ensure existing features such as trees, habitats and landscape features are retained. Principle 9 requires that net gains in biodiversity are provided.

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The development is considered to benefit from the de-minimus exemption as set out by The Biodiversity Gain Requirements (Exemptions) Regulations 2024 and there is no requirement for BNG to be provided in respect of the aforementioned legislation.

Given the extent the development could be undertaken in any event given the previous prior approval it is considered that the scheme is acceptable having regard to the aforementioned policies.

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 pre-dates 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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

Strategic Green Infrastructure Network

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhances green infrastructure is provided / integrated into new developments. In addition, this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies within the Kirklees Local Plan policy LP31 sets out that the Council will support such development.

The application form confirms that there are no trees or hedges on the proposed development site and that there are no trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character.

As such, given that the proposal would not result in the loss of any existing trees or hedgerows at the application site, it is not considered that the proposal would have a significant impact upon the Strategic Green Infrastructure Network.

Contaminated Land

The site of the proposed development is not situated on land identified as potentially contaminated, it was however a working farm and buildings, potential contamination could be present. In order to protect the sensitive end users and ensure the site is safe and suitable for its intended use, a proportionate precautionary condition is recommended to advise the applicant of their duties should any unexpected contamination be found while groundworks commence and to satisfy LP53 of the Kirklees Local Plan and Chapter 15 of the NPPF in relation to ground safety.

Air Quality:

Government guidance on air quality mitigation outlined within the NPPG and Chapter 15 of the NPPF, and local policy contained within LP24, LP26 and LP51 and the West Yorkshire Low Emissions Strategy Planning Guidance seek to mitigate Air Quality harm.

It is noted that Electric Vehicle charging points are a requirement of building regulations and would be covered by that requirement in the event of any approval.

This is now controlled by Part S of the Building Regulations which came into force in June 2022 and would not be repeated as a planning condition. However, upon any grant of approval, an advisory footnote for electric vehicle charging points would be included.

6 – Representations:

None received

7 – 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 that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/91238

Officer Recommendation: Approve

Conditions

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

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

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, LP11, LP21, LP22, LP24, LP30, LP31, LP51, LP52, LP53, LP57 & LP60 Principles 2, 5, 6, 12, 13, 14, 15, 16, 17, 18 & 19 of the Housebuilders Design Guide Supplementary Planning Document, Policies 1, 2, 11, 12 & 13 of the Holme Valley Neighbourhood Development Plan and Chapters 2, 4, 5, 11, 12, 13, 14 & 15 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, 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. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority. Reason: To ensure public safety and to comply with LP 53 of the Kirklees Local Plan, and Chapter 15 of the National Planning Policy Framework.

5. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development

included within Classes A, AA, B, C, D or E of Part 1 and / or class A of Part 2 of Schedule 2 to that Order shall be carried out within the site outlined in red on the hereby approved Location Plan without the prior written consent of the Local Planning Authority.

Reason: In the interests of the Green Belt to accord with the requirement for very special circumstances to be demonstrated in this case to comply with policies within Chapter 13 of the National Planning Policy Framework.

6. All areas designated as passing places on the plan ref: 146- 24- PL101 Revision D submitted as part of application 2024/91893 shall be cleared of obstructions before the development is brought into use and shall thereafter be so always retained.

Reason: In the interests of ensuring a safe and convenient means of access for future occupants and visitors, in accordance with Policy LP21 of the Kirklees Local Plan.

7. The dwelling hereby approved shall not be occupied until all areas indicated to be used for vehicles and pedestrians within the curtilage of the dwelling has been laid out with a hardened, sealed and drained surface. Provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. Should permeable or porous surfacing be intended to be used, no dwelling house shall be occupied until a scheme detailing the intended surfacing to areas for vehicles and pedestrians for that dwelling house has been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall thereafter be retained and maintained.

Reason: In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and to ensure that the additional hardstanding area is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

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.

NOTE: No construction related noise should be audible beyond the site boundary outside the hours of:

07:30 to 18:30 hours Mondays to Fridays

08:00 to 13:00 hours, Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Public Holidays.

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	00_01	-	15/05/2025
Existing Block Plan	00_01	-	06/05/2025
Existing Plans – West Barn	00_02	-	06/05/2025
Existing Elevations – West Barn (1)	00_03	-	06/05/2025
Proposed Block Plan	01_01	-	06/05/2025
Proposed Plans West Barn	02_01	-	06/05/2025
Proposed Elevations West Barn	03_01	-	06/05/2025
Planning Statement	-	-	06/05/2025
Climate Change Statement	-	-	06/05/2025
Application form	-	-	15/05/2025

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.