

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

**Town and Country Planning (General Permitted Development) (England)
Order 2015 - Schedule 2, Part 3, Changes of Use**

DELEGATED DECISION FOR DISCHARGE OF CONDITION - NOTIFICATION OF A CHANGE OF USE UNDER THE ABOVE PROVISIONS

Reference no. 2025/CL/91403/W

Site Address	Meltham Grange Farm, Slaithwaite Road, Meltham, Holmfirth, HD9 5PT
---------------------	---

Description	Prior notification for change of use of 2 agricultural buildings to 3 dwellings
--------------------	--

Recommending Officer	Danielle Cooper
-----------------------------	------------------------

DECISION - DETAILS APPROVED

**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.**

West Team

AUTHORISED OFFICER

Date: 09-Jul-2025

Officer Report - 2025/91403

Site Description

Description of Proposal

The proposal seeks change of use of the existing 2 agricultural buildings to 3 dwellinghouses and operations reasonably necessary to convert the building to residential use under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 3, Class Q.

Barn 1 – 1 dwelling, single storey, 2 bedrooms. The internal floor area measures = 118sqm

Barn 2 – 2 dwellings, single storey, 2-3 bedrooms. The internal floor area for both dwellings measures = 152sqm

The conversion works would include the following:

- Original steel frames to remain but cleaned and treated with protective paint where necessary.
- Existing cladding to be retained and any defective sheets repaired and replaced where necessary.
- Minimal alterations to existing openings to accommodate new glazed frames.
- new window openings.
- Existing solid floor to remain with a layer of insulation laid over.
- Internal insulated timber frames to be constructed to the external walls and insulated timber ceilings to be suspended from the existing steel roof structure which is to be retained.

The proposal also includes the demolition of the later addition to barn no. 1 as shown on plan.

All dwellings are proposed to have two allocated parking spaces and outdoor amenity spaces. The existing concrete yard is proposed to be retained and will provide a vehicle turning area.

History of Negotiations/Amendments Received

None.

Relevant Planning History

None.

Procedural Matters

The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 and the subsequent Town and Country

planning (General Permitted Development) (Amendment and Consequential provisions) (England) order 2014 have been consolidated in the Town and Country Planning (General Permitted Development (England) Order 2015. This latest order introduced new classes of permitted development as well as retaining existing ones.

Proposals falling within these new classes are now permitted development subject to the developer applying to the Local Planning Authority for a determination as to whether Prior Approval of the authority will be required. The subject matter that requires the Local Planning Authority's Prior Approval is dependent upon the Class.

In the case of Class Q, the following issues must be considered: -

- (a) transport and highways impacts of the development,
- (b) noise impacts of the development,
- (c) contamination risks on the site,
- (d) flooding risks on the site,
- (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and
- (f) the design or external appearance of the building,
- (g) The NPPF in as far as it is relevant to the subject of the Prior Approval.
(All Classes listed above).

To establish whether prior approval of the Local Planning Authority will be required, the Local Planning Authority must: -

(a) take into account any representations made to them as a result of any consultation under sub-paragraphs (5) or (6) and any notice given under sub-paragraph (8);

(b) have regard to the National Planning Policy Framework issued by the Department for Communities and Local Government in July 2018(a), so far as relevant to the subject matter of the prior approval, as if the application were a planning application; and

(c) in relation to the contamination risks on the site—

(i) determine whether, as a result of the proposed change of use, taking into account any proposed mitigation, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990(b), and in doing so have regard to the Contaminated Land Statutory Guidance issued by the Secretary of State for the Environment, Food and Rural Affairs in April 2012(c), and (ii) if they determine that the site will be contaminated land, refuse to give prior approval. Schedule 2, Part 3 para W(3) establishes that the Local Planning Authority may refuse an application where, in the opinion of the authority the proposed development does not comply with, or the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with any conditions, limitations or restrictions

specified in Part 3 as being applicable to the development in question. Consultation and publicity is not required if the Local Planning Authority determine that the application should be refused on the above grounds.

What works are permitted under the Class Q permitted development right for change of use from an agricultural building to residential use?

The right allows either the change of use (a), or the change of use together with reasonably necessary building operations (b). Building works are allowed under the right permitting agricultural buildings to change to residential use: Class Q of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) (as amended) Order 2015, as amended.

However, the right assumes that the agricultural building is capable of functioning as a dwelling. The right permits building operations which are reasonably necessary to convert the building, which may include those which would affect the external appearance of the building and would otherwise require planning permission. This includes the installation or replacement of windows, doors, roofs, exterior walls, water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house; and partial demolition to the extent reasonably necessary to carry out these building operations. It is not the intention of the permitted development right to allow rebuilding work which would go beyond what is reasonably necessary for the conversion of the building to residential use. Therefore, it is only where the existing building is already suitable for conversion to residential use that the building would be considered to have the permitted development right.

For the proposals to be considered conversion, the nature and extent of the works need to fall short of a rebuild. None of the proposed works falls outside the operations listed in paragraph Q.1(i) of the GPDO or in the NPPG. However, in *Hibbitt, Green J* held that:

“...the concept of “conversion” is found in the overarching provisions of Class Q (not in Q.1) and it thereby introduces a discrete threshold issue such that if a development does not amount to a “conversion” then it fails at the first hurdle and there is no need to delve into the exceptions in Q.1. It is thus a freestanding requirement that must be met irrespective of anything in Q.1.”

- Original steel frames to remain but cleaned and treated with protective paint where necessary.
- Existing cladding to be retained and any defective sheets repaired and replaced where necessary.
- Minimal alterations to existing openings to accommodate new glazed frames.

- new window openings.
- Existing solid floor to remain with a layer of insulation laid over.
- Internal insulated timber frames to be constructed to the external walls and insulated timber ceilings to be suspended from the existing steel roof structure which is to be retained.

A structural appraisal has been submitted for both barns confirming that the steel frames, cladding walls, roof covering and solid floors are structurally sound, with no evidence of cracking, movement or corrosion.

While it is acknowledged that the existing steel frames will be cleaned and treated, and any defective cladding sheets will be repaired where necessary. No evidence of defective sheeting has been provided although it is accepted a small number of sheets could be replaced. However, if, once works commence it is found a significant number of sheets are to be replaced and notwithstanding any prior approval granted, this may jeopardise the ability to benefit from the permitted development right. the remainder of the building retains a substantial proportion of its existing materials, including the portal frame, cladding and roof sheets.

New materials on the remaining elevations are largely limited to localised areas of infill and making good, including the new party walls, and infilling internally being the existing walls and roof.

These works are considered to be reasonably necessary to carry out the building's operation as dwellinghouses. As such, it is considered that the proposal would fall within the definition of "conversion".

Outlined in Paragraph Q.1 development is not permitted by Class Q if;

- (a) in the case of a site that is part of an established agricultural unit, the site was not part of the established agricultural unit—
 - i) on 24th July 2023, or
 - ii) where the site became part of the established agricultural unit after 24th July 2023, for a period of at least 10 years before the date development under Class Q begins,
- (b) in the case of a site that was part of an established agricultural unit—
 - (i) the site was part of an established agricultural unit on 24th July 2023,
 - (ii) where the site ceased to be part of an established agricultural unit after 24th July 2023, the site has not been part of the established agricultural unit for a period of at least 10 years before the date development under Class Q begins, or

- (iii) since ceasing to be part of an established agricultural unit, the site has been used for any non-agricultural purpose,

Complies – The site has been solely used as for agricultural purposes and no other use. The Local Authority have no evidence to contradict the applicants claim that since ceasing to be part of an agricultural unit, the site has not been used for any non-agricultural purpose. As such, the proposed scheme complies with (b) (iii).

- (c) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeds 150 square metres,
- (d) the development under Class Q, together with any previous development under Class Q, within the original limits of an established agricultural unit (see paragraph Q.3(2) of this Part) would result in—
 - (i) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 10, or
 - (ii) the cumulative floor space of dwellinghouses having a use falling within Class C3 (dwellinghouses) of Schedule 1 to the Use Classes Order exceeding 1,000 square metres,

Complies – Unit A & B are annotated as having a floor space of 152 sq metres although when scaling from the drawing each unit is measured to be 148 sq metres. Notwithstanding these differences, it is considered the average of 150 sq metres is acceptable and any marginal increase between 150 and 152 square metres de-minimis to refused the application. The floor space of the three dwellings combined would have a total Gross Internal Area of 422 sqm and therefore complies with criterion (c). As the development would comprise three dwellings and would not exceed 1,000sqm, it also complies with criterion (d).

- (e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained,
- (f) less than 1 year before the date development begins—
 - (i) an agricultural tenancy over the site has been terminated, and
 - (ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use.

Complies – The site is not under an agricultural tenancy, nor has it been in the past year.

- (g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit during the period which is 10 years before the date development under Class Q begins,

Complies – No extensions occurred. The original buildings as shown have been in situ and not altered for over 20 years as can be seen from historic aerial imagery. As such the proposal complies with criterion (g).

- (h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, other than—
 - (i) extension of the building allowed by paragraph Q.1(i);
 - (ii) protrusions of up to 0.2 metres to accommodate building operations allowed by paragraph Q.1(j)(i),

Complies – No extensions are proposed to the dwellings. Where infill is proposed, this relates to enclosing any former gaps within the existing building footprint as well as infilling of areas where extensions have been removed and does not increase the existing building envelope.

Therefore criterion Q.1 (j) and (i) are not applicable.

- (k) the site is on article 2(3) land,
- (l) the site is, or forms part of—
 - (i) a site of special scientific interest;
 - (ii) a safety hazard area;
 - (iii) a military explosives storage area,
- (m) the site is, or contains, a scheduled monument,
- (n) the building is a listed building,

Complies – The site does not fall within any of the above.

- (o) the existing building, excluding any proposed extension under Class Q(b) but including any proposed building operations under Class Q(c), would not be capable of complying with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015 as read with the notes dated 19th May 2016 which apply to it, or

Complies – The proposed dwellings would be as follows:

- Barn 1 – 1 dwelling, single storey, 2 bedrooms. The internal floor area measures = 118sqm
- Barn 2 – 2 dwellings, single storey, 2-3 bedrooms. The internal floor area for both dwellings measures = 152sqm

All dwellings exceed the 70-95sqm requirement for this dwellings type.

- (p) the building does not have suitable existing access to a public highway.

Complies – The building would utilise an existing access. Its suitability is discussed in the following parts of this report.

Curtilage

The following is the definition of 'curtilage' taken from Part 3 Class X;

“curtilage” means, for the purposes of Class Q, R or S only –

- a) the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or*
- a) an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building, whichever is the lesser;*

The proposed curtilage, at approximately 364sqm is less than the footprint of the existing agricultural building's (422sqm), and is situated immediately adjacent to it. The proposal therefore complies with curtilage limitations.

Conditions

Conditions for Class Q Development

It is considered that the proposal would be permitted under Class Q.

Where the proposal is development under Class Q(a) together with development under Class Q(b), the proposal is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

- a) transport and highways impacts of the development,
- a) noise impacts of the development,
- b) contamination risks on the site,
- c) flooding risks on the site,
- d) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and
- e) the design or external appearance of the building, and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

The application for Prior Approval is to be submitted and assessed in accordance with the *‘Procedure for applications for prior approval under Part 3’*, as outlined in Section W of Part 3.

Representations

As part of the notification procedure, the Local Planning Authority consulted relevant bodies in accordance with paragraph W and the proposal was advertised on the council's website.

As a result of the above publicity, no representations have been received.

Meltham Town Council – no objections.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

KC Highways DM (Written): The proposal is acceptable to Highways subject to conditions re bin storage and collection points, all vehicle parking areas to be surfaced and drained.

KC Prow (Written): Meltham 68 (mel/68/30) is the access to the site and prowl would not authorise or allow any change of surface without prior approval from the rights of way team. An informative will therefore be implemented to ensure such works are undertaken via the approval of public rights of way.

KC Environmental Health (Informal comments) – As the site has been in use for agricultural purposes, a Phase 1 Preliminary Risk Assessment and Phase 2 Ground Investigation Report is required to be condition prior to commencement of the development, and where necessary Phase 3 Remediation Strategy is required in due course. Construction hours should be conditioned.

Assessment

The following matters are considered in the assessment below –

- a) Transport and Highways impacts of the development
 - b) Noise Impact of the development and Siting of the building(s)
 - c) Contamination and Flood risk of the site
 - d) The design or external appearance of the building(s)
 - e) Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use
 - f) Impact on the amenity of future occupiers
 - g) Representations
 - h) Conclusion
- a) Transport and Highways impacts of the development

The site would be accessed by Deer Hill End Road which is an unadopted and unmade track of approximately 7m width (narrowing to 3.4m close to the site) with no footways or street lighting. Approximately 335m to the east of the site Deer End Hill Road joins the adopted highway network at a junction with B6102 Slaithwaite Road.

Deer End Hill Road serves the existing farm, two dwellings at Shooting Box and access to Deer Hill Reservoir and Deer Hill Rifle Range and would be expected to carry very low volumes of vehicular traffic.

KC Highways have concluded that the site is low sustainable location, with the B6102 Slaithwaite Road hosting a medium frequency bus route with stops approximately 370m from the site entrance, the closest convenience store being approximately 1.9km away and other shops and services being approximately 2.3km away. It is also approximately 1.4km to the closest primary school. As such it is expected that the proposed development will be car dominated which is accepted.

The proposed block plan show that each dwelling will be served by 2 adequate parking spaces. As the proposed new dwellings would increase the total number of dwellings across the full site within the applicant's ownership to 4, this would require 1 visitor parking space to be provided. However, as there is parking available along Deer End Hill Road for visitors, the LPA do not require any further information.

KC Highways have reviewed the bin collection points and consider that the location as shown on the proposed block plan may not be suitable. The agent has confirmed that the current arrangement waste is picked up and emptied along this track. Whilst this is acknowledged, KC Highways still request that a condition to confirm bin storage and collection points is conditioned as prior to commencement of the development.

Deer Hill Road also carries PROW Bridleway MEL/68/30. KC Prow have been consulted and have stated that they would not allow any change of surface without prior approval from the Rights of Way Team. This will be attached via an informative to notify the applicant of such requirements.

Overall, subject to the recommended conditions, it is considered that the proposal would not adversely impact the highway network.

Matters pertaining to sustainable location are comprehensively addressed in paragraph (e) below.

b) Noise impact of the development

The site is situated in a relatively isolated position, with only the existing farm house located north-west of the buildings. As the proposal introduces residential dwellings into an area where there are other properties of residential use, it is not considered that the development would result in noise levels significantly above those currently experienced. There are no known sources of noise pollution that would harm the amenity of future residents.

KC Environmental Health has recommended a condition restricting hours of construction, however, no specific harm other than nearby residential receptors, has been identified to justify this, and construction activity is more appropriately managed under separate legislation in these instances. The condition has therefore been attached to the decision as an informative.

c) Contamination and flood risk of the site

The site is within Flood Zone 1 and is not within an area which is identified as having critical drainage problems.

It is noted that paragraph W (c) (ii) allows the Council to refuse an application if they determine that the site will be contaminated land. The definition of contaminated land is described in Part 2A of the Environmental Protection Act 1990(b) this should take into account any proposed mitigation. The site is not identified as within Potentially Contaminated Land, however as the existing use of the site was for agricultural purposes, which may have introduced contamination in the form of chemicals associated with farming, machinery and farm wastes, a Phase 1 Preliminary Risk Assessment and Phase 2 Ground Investigation Report, and where necessary Phase 3 Remediation Strategy will therefore be conditioned.

This approach allows for potential risks identified to be addressed through suitably worded pre-commencement conditions, ensuring the development would be safe and suitable for its intended use.

d)The design or external appearance of the building(s)

The design of the dwelling would be determined primarily by the existing building, the form of which is to be mostly comprised of existing material and where alterations are proposed materials are to match. The overall appearance of the dwellings is considered to be sympathetic to original building and the surrounding area.

e) Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use

It is noted the site is within a fairly isolated location, however it is important to note that the sustainability of the location is not a matter for consideration under Class Q provisions. Prior approval under Class Q does not extend to a general assessment of whether the site is suitably located in planning policy terms, rather it seeks to determine whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use.

The building is located within an isolated location. However as mentioned by KC Highways the site will have to mainly accessed from driving. As such, whilst the site is situated within a low sustainable location, it can be accessed via car.

There are no physical or environmental constraints, subject to condition pertaining to contaminated land, that would render the site impractical or undesirable for residential occupation.

f) Impact on the amenity of future occupiers

Consideration is required to be given to the impact on the amenity of future occupiers in terms of the gross internal floor area and the adequacy of natural light. The proposal has been considered against the Government's Space Standards for dwellings which suggest that a one storey, two to three-bedroom dwelling should have a gross internal floor area of 70 to 95 square metres. The submitted block plan demonstrates that the dwellings would have a gross internal floor area which would exceed these dimensions which would provide an adequate level of internal accommodation for future occupiers. All rooms are to be served by openings which are considered to offer an adequate amount of natural light.

7) Representations

Meltham Town Council – no objections.

8) Conclusion

The proposed development is considered to benefit from a general planning permission under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in accordance with Part 3, Class Q of Schedule 2 of the Order.

Recommendation: Grant Prior Approval

Decision Authorisation - Delegated Powers

Application Number: 2025/91403

Recommendation: Grant Prior Approval

Conditions and Reasons:

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

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24 and LP53 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

2. The development shall not be brought into use until the areas to be used by vehicles and/or pedestrians have been surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 2009 (ISBN as amended or any successor guidance. The parking space shall be so retained, free of obstructions and available for the use thereafter.

Reason: In the interests of highway safety and to ensure satisfactory surface water drainage of the site in accordance with Policy LP21 and LP28 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. Before development commences, details of suitable storage, bin presentation points and access for collection of wastes from the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: In the interests of amenity and highway safety and to meet the requirements set out in Local Plan Policy LP24 part d(vi).

4. The development 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: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

5. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (4) development (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: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

6. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (5) development shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

7. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (6). 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 work in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

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

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

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: 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.

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 the works may be carried out.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway and 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 Design Engineer (Kirklees Street Scene: 01484 221000) 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: Public bridleway MEL/68/30 is the access to and adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works. The Council's public rights of way unit may be contacted by telephone 01484 221000 and ask for Sharon Huddleston or via the email address publicrightsofway@kirklees.gov.uk

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan			21/05/2025
Proposed Layout Plan			21/05/2025
Proposed Plans and Elevations	Barn 1		21/05/2025
Proposed Plans and Elevations	Barn 2		21/05/2025
Class Q Supporting Statement			21/05/2025
Methodology Statement			21/05/2025
Structural Appraisal Report Barn 1			21/05/2025
Structural Appraisal Report Barn 2			21/05/2025

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 has, 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.