

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:	2025/62/92361/W
Site Address:	Berristal Head Farm, Bent Road, Hepworth, Holmfirth, HD9 1TS
Description:	Demolition of existing buildings and erection of detached dwelling with associated parking and landscaping and alterations to existing access road
Recommending Officer:	Danielle Cooper

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: 19th November 2025

Officer Report

Site Description

The site comprises a collection of buildings 0.2km to the west of the access taken from Bent Road. The access is a tarmac roadway through open countryside which arrives at the site which consists of a dwelling and agricultural buildings.

The former 1 agricultural buildings have been constructed of natural, random coursed stone walling, timber cladding and fibre cement / asbestos sheet roofing.

There are no neighbouring dwellings within close proximity, and the site is surrounded by open fields and countryside.

The site is located within the Green Belt

A PROW (HOL/149/10) is located east of the application site.

The site is also designated as Strategic Green Infrastructure Network.

The site is located within the Holme Valley Neighbourhood Development Plan – (HVNDP-LCA3) Hade Edge Upland Pastures.

Description of Proposal

The applicant is seeking permission for the demolition of existing buildings and erection of detached dwelling with associated parking and landscaping and alterations to existing access road.

Part of the existing agricultural buildings will be demolished as outlined in red on the proposed block plan to facilitate the proposed dwelling.

The proposed new dwelling would have an L-shaped footprint and be part single storey and part two storey. It will be situated south-east of the application site and cover a floor area of 287sqm.

The building features gabled and sloped roof forms with large glazing elements to the single storey structure. A staircase is proposed to the west side elevation.

The dwelling is proposed to be constructed using natural coursed walling stone and vertical timber cladding with a quartz zinc roof. Internally the dwelling would comprise living accommodation and the en-suite master bedroom on the ground floor with three further en-suite bedrooms on the first floor.

Existing areas of hardstanding / sites of demolished buildings are proposed to be re-used directly to the west of the new dwelling. This would provide on-site parking with available turning for at least three cars.

Private outdoor amenity space consisting of hard and soft landscaped areas is proposed directly to the east and north-east of the dwelling. These areas would re-use existing areas of hardstanding.

The existing dry stone boundary walls would be retained.

Alterations to the existing access road are proposed by way of the addition of six passing places.

History of Negotiations

The officer raised concern in regard to the adjacent PROW HOL/149/10 which runs into the site from the north-east corner of the application site. The agent therefore altered the siting and layout of the proposed dwelling and garden so that PROW HOL/149/10 is maintained in its current position and the proposed dwelling and curtilage space does not interfere with it.

The requirement of the proposed staircase to the front elevation was queried with the agent as well the case officers concern that it would add visual clutter to the western elevation. The agent confirmed that the proposed stone staircase is of a specific design element on what is a historically authentic feature found on traditional stone barns in the Yorkshire region. Having considered the agents response, it is considered that the retention of the stone staircase would not result in detrimental visual impact to the overall character and appearance of the dwelling and as such is acceptable.

Relevant Planning History

The relevant planning history for the site relates to the following:

2025/90874

Prior notification for change of use of agricultural building to three dwellings including associated works
Approved

Officer comment: It is noted that there has been a recent prior approval permission on site to convert the existing agricultural buildings into 3 separate dwelling unit ref: 2025/90874. The proposed development in this application would be on land that is within the red line boundary of the prior approval. As the prior approval permission has not begun, it is not considered that implementation of the proposal the subject of this planning application (in the event of any approval) would conflict with planning permission ref: 2025/90874. The applicant should be made aware that only one permission can be implemented in the event of any grant of permission.

2008/92522

Erection of first floor bathroom extension and alterations to roof and windows
Approved

Representations

The application has been advertised by site notice and the press. Final publicity expired on 24th October 2025. No representations have been received.

Holme Valley Parish Council – Support - but note the document titled 'Climate Change Statement' relates to a submitted geological report. They also consider a slate roof would be more in keeping with the area.

It should be noted the document has been correctly re indexed as geological information.

Consultation Responses

KC Highways Development Management – No objections. The approved vehicle parking area will need to be surfaced and drained. The proposed 6 passing places should be installed prior to occupation of the proposal.

KC Environmental Health – No objections subject to conditions.

KC PROW – PROW originally objected to the proposed scheme, as the proposed dwelling and garden directly impacted PROW (HOL/149/10) which runs into the site from the north-east corner of the application.

The agent therefore altered the siting and layout of the proposed dwelling and garden so that PROW HOL/149/10 is maintained in its current position and the proposed dwelling and curtilage space does not interfere with it.

KC Ecology – No objection subject to conditions.

Coal Authority – No objection subject to conditions.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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).

The site is located within the Green Belt as allocated within the Kirklees Local Plan.

The site is designated as Strategic Green Infrastructure Network.

The track leading to the site carries the route of a Public Right of Way, footpath reference HOL/114/20.

Kirklees Local Plan (KLP):

- LP1 – Achieving sustainable development
- LP2 – Place shaping
- LP3 – Location of new development
- LP11 – Housing mix and affordable housing
- LP21 – Highway safety and access
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity and geodiversity
- LP31 – Strategic Green Infrastructure Network
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated and unstable land.
- LP59 – Brownfield sites in the Green Belt

Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and open space, to be used alongside existing SPDs previously adopted. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development. In this case the follow SPDs (and design guides) are applicable:

- Highways Design Guide
- Housebuilders Design Guide SPD
- Biodiversity Net Gain Technical Advice Note

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan. Policies within the plan relevant to the consideration of this application are listed as follows:-

- Policy 1 Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 3 Conserving and Enhancing Local Heritage Assets
- Policy 10 Protecting Local Green Space
- 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.

- Chapter 2 – Achieving sustainable development
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

1 – Principle of Development (Including impact on the Green Belt and visual amenity):

Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy LP1 goes on further to stating that: “The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area”.

The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular

importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

The Council’s inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officer’s assessment.

It is noted that this site is within the Green Belt. Irrespective of the Councils position on the five-year supply of deliverable housing sites, the National Planning Policy Framework at paragraph 11 is clear that in the event a Council cannot demonstrate a five-year supply of deliverable housing sites, the council should grant permission “unless the application of policies that protect areas or assets of particular importance provides a clear reason for refusing the development proposed”. Footnote 7 at paragraph 11di) states that the protected areas include land designated as Green Belt. Although the council are not able to demonstrate a five-year supply of housing, the tilted balance would not be engaged for this proposal.

Therefore, the principle of developing in the Green Belt must be assessed in order to determine whether the principle of development is acceptable. The proposal will also be assessed against all other material considerations.

Green Belt

The site is located on Green Belt land. The NPPF states that ‘the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence’.

Paragraph 153 states that ‘when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’.

Paragraph 154 of the NPPF states “*development in the Green Belt is inappropriate unless one of the following exceptions applies:*

- a) *buildings for agriculture and forestry;*
- a) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- b) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

- c) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- d) *limited infilling in villages;*
- e) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- f) *limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.”*

The application is for a new dwelling and as such would not fall under exceptions a, b, c or f.

With regard to sub-paragraph e), Paragraph 19.31 of the Kirklees Local Plan outlines the Councils approach to assessing infilling in villages. It states that:

“Any application for infill development within the Green Belt will therefore be judged in the first instance on whether the settlement is a village for the purposes of Green Belt policy. If it is established that the site is within a village the plot should be small, normally sufficient for not more than two dwellings and within an otherwise continuously built-up frontage.”

The site is not located within a village and therefore does not fall under exception e.

LP59 of the Kirklees Local Plan outlines:

“Proposals for infilling within existing brownfield sites or for their partial or complete redevelopment will normally be acceptable, provided that: in the case of infilling, the gap is small and is located between existing built form on a brownfield site; in the case of partial or complete redevelopment the extent of the existing footprint is not exceeded; and redevelopment does not result in the loss of land that is of high environmental value which cannot be mitigated or compensated for.”

In the supporting text for LP59, paragraph 19.33 of the Kirklees Local Plan states:

“The redevelopment of the site, either in the same use or for a new use, may be acceptable provided that the redevelopment is designed so as not to have any more impact on the openness of the Green Belt than the existing built form”

The definition of previously developed land is contained within the NPPF (P. 77) as: ‘Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be

assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'

Agricultural buildings will be demolished to facilitate the proposed dwelling. In line with the above definition, the site therefore cannot be identified as previously developed land as the dwelling will be located on land last occupied by agricultural building

Grey Belt Considerations

Paragraph 155 of the NPPF states that development in the Green Belt should not be regarded as inappropriate where:

- a) The development would utilise Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) There is a demonstrable unmet need for the type of development proposed (footnote 56);
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework (footnote 57); and
- d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.

Annex 2 of the NPPF defines Grey Belt as:

"For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development".

To determine whether the land could be considered as Grey Belt, consideration should first be given to where or not the land strongly contributes to purposes (a), (b) or (d) set out in Paragraph 143 of the NPPF (December 2024). If the land does not strongly contribute to these purposes and is considered Grey Belt, then an assessment should follow as to whether development would fundamentally undermine the strategic function of the remaining Green Belt across the Local Plan Area as whole, as required by Paragraph 155 of the NPPF.

Planning Practice Guidance published 27 February 2025 pertaining to Green Belt, sets out the considerations which inform the judgements on what level of contribution the site/land makes to the Green Belt purposes.

Meeting Green Belt Purposes – Land (Paragraph 155a)

The PPG confirms that purpose (a) – to check the unrestricted urban sprawl of built up areas, specifically relates to the sprawl of towns and cities, and the villages should not be considered large built up areas for this purpose.

The nearest town is Holmfirth, situated around 3.32km. The next nearest towns are Huddersfield to the north around 11.48km. Between the site and these towns are a number of intervening villages such as Hepworth and Hade Edge, which break up the landscape and prevent a physical or visual relationship between the site and a large built up area.

The proposed development would replace existing buildings on site. Resulting in a net decrease in volume and convert existing hardstanding into greenspace in the form of garden areas. The site is located in open countryside and is physically and visually separated from surrounding towns. It does not form part of a settlement edge that would influence the outward spread of an urban area. On this basis, the land is considered to make only a weak contribution to Green Belt Purpose (a) – to check the unrestricted sprawl of large built-up areas.

The PPG confirms that purpose (b) - to prevent neighbouring towns from merging into one another, relates to the merging of towns not villages, and that the degree of contribution depends on whether development would erode visual separation between towns.

The site is a small parcel of land within a much wider swathe of Green Belt. It is already developed to a degree, with existing agricultural buildings and one farmhouse, hardstanding, and a defined access from the adopted highway. The land is visually and functionally contained with site boundaries in the form of dry-stone walls, and is capable of development that would not affect wider landscape buffers and open fields that provide a clear physical and visual separation between Holmfirth and other towns in the wider area.

While the site forms part of a gap between settlements, its individual contribution to preventing the merging of towns is limited. On this basis, the site is assessed as making only a moderate contribution to Green Belt purpose (b). A well-considered redevelopment of the site in isolation would not materially affect the visual or perceived separation between towns or lead to any realistic sense of coalescence.

The land is not located within or adjacent to a historic town, nor does it contribute to the setting or character of any such settlements. On this basis, the site is considered to make no contribution to Green Belt Purpose (d) - to preserve the setting and special character of historic towns.

It is therefore considered that the land does not strongly contribute to any of the purposes in Paragraph 143 (a), (b) or (d) of the NPPF, nor do any exclusions under footnote 7 apply.

Meeting Green Belt Purposes – Development (Paragraph 155a)

As set out in the preceding Green Belt purpose assessment, the site makes only a weak contribution to Purpose (a), a moderate contribution to purpose (b), and no contribution to purpose (d). This indicates that the site forms a small, visually and physically contained parcel of land within a wider area of Green Belt, and that its development would not undermine the Green Belt's ability to perform those purposes strategically over the plan area.

In respect of Purpose (c) (safeguarding the countryside from encroachment), the proposed development would utilise an existing developed site, with 2 agricultural buildings being demolished to facilitate that the proposed dwelling, remaining

largely within the footprint and built parameters of previous built form. The development would reduce the extent of existing hardstanding through the introduction of soft landscaping through garden areas and as such no additional encroachment into the surrounding countryside would occur as a result. While the introduction of a large proportion of glazing and a residential use would inevitably result in some degree of domestication, given the existing use of the site as agricultural, it is considered that activity levels would remain similar. The layout would see parking and amenity spaces close to the resultant building and in way that relates well to the site, without extended further activity into the Green Belt. Any future outward expansion can also be effectively controlled through the removal of permitted development rights, preventing incremental sprawl over time.

On this basis, although the development would be some localised visual change, the proposal would not result in material encroachment or fundamentally undermine the purposes of the Green Belt taken together across the plan area. The proposal therefore satisfies Paragraph 155(a) of the NPPF (2024).

Demonstrable Unmet Need (Paragraph 155b)

With regards to Paragraph 155 (b), Kirklees currently has a 3.96-year housing land supply, which falls below the required five-year supply. The 2022 Housing Delivery Test results also indicate under-delivery with only 67% of required housing being delivered. This shortfall is a material consideration and supports the principle of development on Green Belt land. The proposed development would contribute to addressing housing need within Kirklees through the delivery of a new family sized dwelling. The supporting information indicates an intention to deliver a single self build dwelling, that would make a small but positive contribution to local housing stock. While

limited in scale, it nonetheless engages this policy test and meets the requirements of Paragraph 155(b).

Sustainable Location (Paragraph 155c)

Paragraph 155(c) requires that the site is in or can be made a sustainable location.

The site is located 1 mile away from Hepworth which is a 3-minute drive or a 20-minute walk via direct footpaths from the application site and 1 mile away from Hade Edge which is a 3-minute drive or a 25-minute walk, offering a range of local amenities including a primary school and convenience shops. Public transport is available to and from Hade Edge and Hepworth, serving nearby towns such as Holmfirth and Huddersfield. The proposal site also provides immediate proximity to a wide and useful network of public footpaths and bridleways, which would encourage walking and cycling.

It is recognised that future occupants of the dwelling would be reliant on the use of private vehicles for most day-to-day journeys, however the proposal relates to a single dwelling and associated trip generation would be minimal.

Taking into account the sites rural setting, the site proximity to local facilities and services, and the limited scale of development, it is considered that the development would be in a reasonably accessible and sustainable location for the purposes Paragraph 155c of the NPPF.

Principle of development – Conclusion

The land makes a weak to moderate contribution to Green Belt purposes (a), (b) and (d) due to its small scale and previously built nature. While the change of the land to residential use would result in domestication through additional glazing and associated activity, the scale, massing and footprint of the development would remain similar to existing structures. Parking and amenity space would be well related appropriately with the building. The proposal dwelling would be well confined to previously built areas of the site, safeguarding the wider countryside from encroachment.

There is a demonstrable unmet need for housing in the borough due to the lack of a five year housing land supply, and the site is in a reasonably sustainable location, being a short walk from Hepworth and Hade Edge and being within acceptable driving distances from other villages and Holmfirth Town Centre.

Taking these factors together, the proposal is considered to fall within the exception set out at Paragraph 155 of the National Planning Policy Framework and is acceptable in principle. As a single dwelling Paragraph 155(d) is not applicable.

Visual Amenity

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby 131 provides a principal consideration concerning design which states:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

Paragraph 134 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Relevant to this is the Kirklees Housebuilders Design Guide SPD, which aims to ensure future housing development is of high-quality design.

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 15 states that the design of the roofline should relate well to site context. Further to this, Principle 13 states that applicants should consider the use of locally prevalent materials and finishing of buildings to reflect the character of the area, whilst Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties.

Policy 1 of the Holme Valley Neighbourhood Development Plan 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

Hade Edge Upland Pastures (LCA3). Policy 2 of the Holme Valley Neighbourhood Development Plan 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.

The proposal seeks to demolish existing agricultural buildings as outlined in red on the proposed block plan to facilitate the proposed dwelling.

The proposed new dwelling would have an L-shaped footprint and will be situated south-east of the application site, covering a floor area of 287sqm. The proposed dwelling will follow a similar layout as the existing agricultural buildings to be demolished, and as such will follow a similar vernacular of the existing built form on site, retaining the character and appearance of the existing rural setting. Part of the proposal will introduce soft landscaping through the formation of a garden area which is considered to contribute to a sense of openness, protecting the existing rural landscape. The existing low stone walls will be retained which is welcomed by the Local Planning Authority (LPA).

In terms of visual appearance, the proposed dwelling will be part single storey and part two storey, featuring gabled and sloped roof forms with large glazing elements to the single storey structure. A staircase is proposed to the west side elevation. As existing buildings on the site are two storey tall and the proposal will follow as a similar footprint as the existing buildings to be demolished, the overall height and scale of the proposed dwelling is considered acceptable. The case officer did raise visual concern in regard to the proposed staircase, as it was considered to introduce visual clutter the western elevation. However, the agent confirmed that the proposed stone staircase is of a specific design element on what is a historically authentic feature found on traditional stone barns in the Yorkshire region. Having considered the agents response, it is considered that the retention of the stone staircase would not result in detrimental visual impact to the overall character and appearance of the dwelling and as such is acceptable.

The proposed dwelling is of a rural agricultural appearance with contemporary elements which is reflected in the proposed materials, window and door detailing, scale and form. Given the rural landscape of the application site, the proposed scale and design of the dwelling is considered to reflect existing built form on site and is therefore will not appear as a prominent feature within this countryside setting and is therefore visually acceptable.

The proposed dwelling would be constructed using natural coursed stone walling, vertical timber cladding with a quartz zinc standing seam roof. The materials and form of development, including the roofs and window and door detailing, would result in a sustainable contemporary building based on a traditional agricultural typology. It is considered that the proposed contemporary materials and zinc roof is acceptable in this setting given its

isolated and agricultural setting. Nevertheless, a condition will be imposed to ensure external walling and roofings materials of the dwelling are submitted prior to construction of the dwelling.

The finished floor levels of the development are set out in the submitted plans, these are considered to be acceptable and a condition to ensure the development is undertaken in accordance with these levels is recommended.

Given the extent of works which could potentially be undertaken through utilisation of pd rights, and the conclusions drawn in the assessment of this application in terms of impact upon the character of the locality / countryside setting it is considered necessary to restrict permitted development rights for works permitted by parts 1 and 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). In addition a condition requiring submission of a scheme of boundary treatments is recommended to ensure the impact of such works is acceptable and does not lead to an unnecessarily high level of enclosure and would ensure they are constructed from appropriate materials of construction.

It is considered necessary for the finalised landscaping of the site to be submitted to, and agreed in writing with the LPA to ensure there is an adequate provision of soft landscaping which lessens the impact of the development proposal in visual terms when viewed in the context of the wider locality.

The proposed solar panels to the single storey element of the dwelling are considered visually acceptable.

The proposed air source heat pump will be located within the single storey extension located to the western elevation of the property. Given its siting, there are no concerns to its visual impact.

Part of the proposal is to also install 6 passing places along the existing access road which raises no visual concern.

The proposal represents conventional but good quality design that is considered both contextual and appropriate within its varied surroundings. The design and layout of the proposal is reflective of the surrounding area and is considered to be acceptable therefore complying with policy LP24 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan, and principle 2 of the Housebuilders Design Guide.

2. Impact on residential amenity:

Section B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

Further to this, Paragraph 130 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Principle 6 of the Kirklees Housebuilders Design Guide SPD states 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 SPD also provides advised separation distances for two storey dwellings:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

The proposed residential dwelling is located east of an existing barn/agricultural building, retaining a separation distance of 11.2m at the closest point. Given the generous separation distance, there are no concerns with potential overbearing or overshadowing impact.

The proposed west fenestrations will face the existing barn and agricultural building, all windows, apart from the ground floor master bedroom which will directly face a blank elevation of the barn building. As such, there are no concerns to loss of privacy from the proposed west fenestrations.

All other windows will not overlook any residential or agricultural buildings and as such, there are no concerns to impact of overlooking.

An informative will be attached to control the hours of construction to protect residential amenity of surrounding residential properties.

It is noted that an air source heat pump (ASHP) is proposed. A condition will be implemented to ensure the ASHP is installed in line with the noise standards set out in the document ‘MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises. This condition will ensure the noise of the ASHP is controlled and will not exceed existing background noise levels.

The amenity of the future occupiers must also be considered. Principle 16 of the Housebuilders Design Guide SPD states that: *“All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan.”* Further to this, Principle 17 of the Kirklees Housebuilders Design Guide SPD outlines that: *“All new houses*

should have adequate access to private outdoor space that is functional and proportionate to the size of the dwelling and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces.”

The proposed dwelling exceeds the minimum recommendations as set out within the NDSS for such a dwelling, and the proposed garden is considered to be a good size for a dwelling of this scale. It is considered the proposed windows would have sufficient outlook and natural light for the amenity of future occupants.

Therefore, it is considered the proposed development would not cause significant harm to the residential amenity of the existing or neighbouring occupiers and is therefore considered acceptable in terms of residential amenity and it is considered that the proposed development complies with Local Plan Policy LP24(b), the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

3. Impact on Highway Safety

Policy LP21 of the Kirklees Local Plan states that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users.

The proposal has been reviewed by KC Highways and consider the parking arrangement and access acceptable.

The proposal is for a 4-bedroom detached dwelling. The existing access will be utilised and will remain unaffected by the proposed development. Due to the scale of the development, it is unlikely the proposal will significantly intensify the use of the road.

Part of the proposal is to install 6 passing places at 40m intervals along the access road which are considered acceptable. It will be conditioned that the passing places are constructed and operational prior to the development first being brought into use.

The site layout and number of 2no. parking spaces proposed is acceptable and sufficient turning and manoeuvring space is available to serve the proposed development.

The approved vehicle parking areas will need to 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. This shall be conditioned as such.

A bin collection/presentation point is proposed to be located adjacent to the public highway and is acceptable.

The proposal is for 2 bedrooms, and as such is not considered to intensify the use of the road to unacceptable level in regard to impeding on highway safety. The existing vehicle access to the site from West Field Lane will remain as existing and the existing stone track will be shared by both this site and the existing adjacent bungalow.

A condition would be implemented to ensure the stone track is surfaced and drained.

An informative will be attached to advise the applicant to install electric charging vehicle points should permission be granted.

As such, the proposed development is considered acceptable in regard to highway safety, complying with policy LP21 of the Kirklees Local Plan.

4. 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.

The proposal has not been accompanied by a climate change statement, however the proposed development includes the installation of solar panels as well as an air source heat pump, which will reduce the dwellings carbon footprint. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

The proposal has been accompanied by a climate change statement, which indicated locally sourced material would be used, rainwater harvesting, consideration of solar panels, which will reduce the dwelling's carbon footprint. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

5. Ecology

Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a

Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The submitted application form outlines that the application falls under the self-build built exemption. Therefore, BNG is not required under this application.

A Preliminary Ecological Assessment has been submitted and has been reviewed by KC Ecology and deem the assessment reasonable and acceptable.

The buildings have been observed to have negligible potential for roosting bats. As such an informative will, be added to request that all works should be timed to occur outside nesting bird season (typically March to August, inclusive).

To ensure the site does benefit from biodiversity enhancements, a Biodiversity Enhancement Plan will be conditioned. It is considered this should include measures to allow free flow for wildlife through the boundaries of the site through incorporation of gaps within the boundary treatment as well as planting of native species within the site and also provision of bat / bird boxes.

Given the layout of the site proposed it is considered appropriate a landscaping scheme is required in addition to the provision of biodiversity enhancements to ensure an adequate mix of soft landscaping / its retention thereafter.

The submitted information is therefore considered acceptable in terms of ecology and subject to condition the proposal is concluded to comply with Policy LP30 of the Kirklees Local Plan and Principle 9 of the Kirklees Housebuilders Design Guide SPD

6. Land contamination & Drainage

With regard to land quality, paragraphs 187, 196 and 197 of the National Planning Policy Framework and policy LP53 of the Kirklees Local Plan which seeks to ensure land quality / stability is maintained as part of new development are considered to be relevant.

The site of the proposal is not shown as being on potentially contaminated land, however the site comprises agricultural buildings which may result in contamination. The site is also located within a high risk coal area.

As such a Phase 1 Environmental Desk Study and Coal Mining Risk Assessment has been submitted and reviewed by KC Environmental Health and the Coal Authority.

KC Environmental Health have reviewed the document and stated that a site walkover was conducted on the 9th of July 2025; the site comprises

agricultural buildings/house, tarmac areas/farmyard, and a small, grassed area. During the site walkover, no visible signs of contamination were observed, however the report notes possible roof materials with asbestos containing materials. The historical land use of the site has been presented and reviewed since 1854; the site itself has been described as residential/agricultural. The phase 1 report reflects the risk from coal legacy within the preliminary conceptual site model. The conceptual site model identifies several potential pollutant linkages which necessitate further investigation.

It is therefore concluded that an intrusive investigation is necessary to confirm the potential source-pathway-receptor linkages identified. This shall therefore be conditioned.

The Coal Authority have also been consulted and have stated that as the submitted assessment states that a coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial and mitigatory measures, in order to ensure the safety and stability of the proposed development. A scheme of intrusive investigations and any remediation works, along with a signed statement prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the proposed development will therefore be conditioned as requested by the Coal Authority to ensure the site is safe and stable.

It is noted that a septic tank is proposed to facilitate the development. Provision of an adequate system of foul water drainage is a requirement of the Building Regulations and the applicant should contact their Building Control Provider for further information.

Subject to conditions the proposal is considered acceptable in this regard.

7. Public Right of Way

KC PROW originally objected to the proposed scheme, as the proposed dwelling and garden directly impacted PROW (HOL/149/10) which runs into the site from the north-east corner of the application.

The agent therefore altered the siting and layout of the proposed dwelling and garden so that PROW HOL/149/10 is maintained in its current position and the proposed dwelling and curtilage space does not interfere with it.

As the PROW will remain unobstructed, there is no longer any concern with the impact of the proposed development on the PROW. An informative will be added to ensure the PROW remains open and unobstructed.

8. 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 development would not see the removal of any trees or hedgerows and would be located upon an existing area of hard standing within the boundaries of an agricultural site. Therefore, the proposal is not considered to have a significant impact upon the Strategic Infrastructure Network and is concluded to be acceptable in this regard.

9. Representations

Holmley Valley Parish Council – Support - but the advise the link to the Climate Change Statement goes to the geological report (wrong document uploaded?). Consider that a slate roof would be more in keeping with the area.

Officer comment: This comment is noted; however the submitted plans show the installation of solar panels and an ASHP which will reduce the carbon footprint of the dwelling which is concluded to be adequate measures and the proposal is acceptable in terms of sustainability considerations. The proposed quartz zinc roof is considered acceptable in this agricultural and rural setting as explained within the visual amenity section of this officer report.

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 proposals do not accord with the development plan and the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF and other material considerations.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/92361

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.

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 LP7, LP20, LP21, LP22, LP24, LP28, LP30, LP33, LP51, LP52 and LP53 of the Kirklees Local Plan, the adopted Housebuilders SPD and Chapters 5, 8, 9, 11, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. Notwithstanding the submitted details, development above slab/foundation level shall not commence until details of all external walling and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved scheme has been completed. No materials other than those approved in accordance with this condition shall be used which shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of visual amenity to accord with Policy LP 24 of the Kirklees Local Plan, The Kirklees Housebuilders Design Guide SPD and guidance contained within Chapter 12 of the National Planning Policy Framework.

4. The dwellings hereby approved shall not be occupied until all areas indicated to be private drives and parking areas are laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for parking thereafter.

Reason: In the interests of visual amenity and traffic safety, to mitigate flood risk arising from surface water run-off, to ensure adequate space within the site for vehicle movements and parking and to comply with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 9 and 12 of National Planning Policy Framework.

5. No part of the development shall be brought into use until the approved six passing places on the access road as shown on plan ref: 3596 (LP) 04, rev A, received 22/08/2025, have been constructed and brought into use. These areas shall be so retained thereafter.

Reason: To avoid danger and inconvenience to highway users and in accordance with Policies LP21 and LP22 of the Kirklees Local Plan.

6. Prior to the construction of the dwelling hereby approved above slab level a Biodiversity Enhancement Management Plan shall be submitted to the Local Planning Authority. The submitted scheme shall include the following:

- Details of installation of 1.no bat box
- Details of installation of 1.no bird box
- Details of gaps to boundary treatments to allow for wildlife to pass through
- Details of native species planting to be undertaken

The development shall not be brought into use until completed in accordance with the approved scheme which shall thereafter be retained for the lifetime of the development.

Reason: In the interests of biodiversity and in accordance with Kirklees Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework.

7. 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: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 197 of the National Planning Policy Framework

8. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (7) 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: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 197 of the National Planning Policy Framework

9. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (8). 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: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 197 of the National Planning Policy Framework

10. 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. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be 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 197 of the National Planning Policy Framework

11. No above ground development shall commence (excluding the demolition of existing structures) until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 197 of the National Planning Policy Framework

12. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 197 of the National Planning Policy Framework

13. The Air Source Heat Pump annotated upon drawing ref: 3596 (0-) 07, rev E, received 22/10/2025, shall be installed in accordance with the noise standards set out in the document 'MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises' and retained as such thereafter.

Reason: to ensure the development has an acceptable impact as a result of noise emissions to accord with policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

14. The finished floor and slab levels of the development shall be in accordance with those shown on submitted drawing 04RevC. The development shall not be brought into use until the finished floor and slab levels approved by this condition have been completed. The approved finished floor and slab levels shall be so retained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity to accord with Policy LP24 of the Kirklees Local Plan, principle 6 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Class(es) A, AA, B and E of Part 1 and / or Class A of part 2 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To preserve the openness of the Green Belt, in accordance with Policy LP24 of the Kirklees Local Plan, Principles of the Council's adopted Housebuilders Design Guide Supplementary Planning Document and Policies within Chapters 12 & 13 of the National Planning Policy Framework.

16. Notwithstanding the plans submitted, the development shall not be brought into use until a scheme detailing the boundary treatment of the site has been 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. The scheme shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, principles of the Council's adopted Housebuilders Design Guide SPD and Policies within Chapters 12 & 13 of the National Planning Policy Framework.

17. The development shall not be brought into use until a scheme detailing hard and soft landscaping, tree/shrub planting, including the indication of all

existing trees and hedgerows on and adjoining the site, details of any to be retained has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate the planting of native trees and hedgerows. Within the first planting season following the development hereby approved being brought into use the approved landscaping scheme shall be completed. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent to any variation. The areas indicated for use as soft landscaping shall be retained as soft landscaped areas for the lifetime of the development and used for no other purpose.

Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity to accord with policies LP24 and LP30 of the Kirklees Local Plan, principles within the Householders Design Guide SPD and the policies contained within Chapters 12 and 15 of the National Planning Policy Framework.

NOTE: 1 - Ground Investigations and groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Mining Remediation Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Mining Remediation Authority permission and further guidance can be found at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

NOTE: 2 - Requirement for Incidental Coal Agreements

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Mining Remediation Authority. Further information regarding Incidental Coal Agreements can be found at: www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements.

NOTE: 3 - Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

NOTE: A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof

- Standard charging points for single residential properties that meet the requirements specified in the latest version of "Minimum technical

specification - Electric Vehicle Homecharge Scheme (EVHS)" by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable.

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. 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: 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.

NOTE: Public footpath HOL/149/10 should remain free and available to be used 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

NOTE: All works should be timed to occur outside nesting bird season (typically March to August, inclusive). If this is not possible all potential bird nesting

opportunities must be checked by a suitably experienced ecologist within 24 hours prior to works. If any active nests are found, the ecologist should advise on suitable species-specific works exclusion zones. The exclusion zones should be regularly monitored by the ecologist and remain in place until the young have fledged the nest or the nests are otherwise deserted.

NOTE Paragraph 197 of the National Planning Policy Framework states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner

Plans and Specifications Table:

Plan Type	Reference	Version	Date Received
Location Plan	3596 (LP) 03	A	22/08/2025
Proposed Site Plan	3596 (0-) 07	E	22/10/2025
Proposed Ground Floor Plan	3596 (0-) 02	C	22/10/2025
Proposed First Floor Plan	3596 (0-) 03	C	22/10/2025
Proposed Elevations	3596 (0-) 04	C	22/10/2025
Access Block Plan	3596 (LP) 04	A	22/08/2025
Bat Survey Report			22/08/2025
Phase 1 environmental desk study & coal mining risk assessment report			22/08/2025
Planning Policy Statement			22/08/2025
Climate Change Statement			22/08/2025

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 Planning 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.

The officer raised concern in regard to the adjacent PROW HOL/149/10 which runs into the site from the north-east corner of the application site. The agent therefore altered the siting and layout of the proposed dwelling and garden so that PROW HOL/149/10 is maintained in its current position and the proposed dwelling and curtilage space does not interfere with it.

The requirement of the proposed staircase to the front elevation was queried with the agent as well the case officers concern that it would add visual clutter to the western elevation. The agent confirmed that the proposed stone staircase is of a specific design element on what is a historically authentic feature found on traditional stone barns in the Yorkshire region. Having considered the agents response, it is considered that the retention of the stone staircase would not result in detrimental visual impact to the overall character and appearance of the dwelling and as such is acceptable.

Report Dated: 18/11/2025