

**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:	<b>2025/62/92591/E</b>
Site Address:	Marsh Farm, Marsh Lane, Shepley, Huddersfield, HD8 8AT
Description:	Change of use and alterations to convert existing storage shed into standalone dwelling for short stay use with associated external works
Recommending Officer:	Elenya Jackson

**DECISION – Full Conditional 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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date:** 17-DEC-2025

## **Officer Report**

### **Site Description**

The application site is a single storey, stone, detached outbuilding located 116m east of Wood End Lane and 190m of Marsh Lane in Shepley.

The site is accessible from the east and west via an informal access track which adjoins Marsh Lane to Wood End Lane. The track is an unclaimed path and not a PROW.

The site is located within the Green Belt and a low-risk coal area.

### **Description of Proposal**

This application has been received for the change of use of the existing outbuilding into a short stay holiday let.

The existing structure has a width of 6.1m, a depth of 4.6m and a height of 4.5m.

The development would be facilitated by alterations to external elevations to add windows and doors.

### **History of negotiations/amendments received**

Officers requested clarification on whether or not the proposal would be able to facilitate appropriate parking. Amended plans were provided showing the proposal having one vehicle accessing the site.

### **Relevant Planning History**

N/A

### **Representations**

The application was advertised by a site notice which expired on 24/10/2025

Two representations were received as a result of site publicity raising the following concerns:

- Lack of services
- Highways concern
- Future planning applications

### **Consultation Responses**

KC Highways: Informal discussion and requested clarification on waste and parking.

## **Policy**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27<sup>th</sup> February 2019).

The site is located in the Green Belt the Kirklees Local Plan.

### **Kirklees Local Plan:**

- LP 1 - Achieving Sustainable Development
- LP 2 - Place Shaping
- LP 3 - Location of New Development
- LP 7 - Efficient and Effective Use of Land and Buildings
- LP 20 - Sustainable Travel
- LP 21 - Highways Safety and Access
- LP 22 - Parking
- LP 24 - Design
- LP 28 - Drainage
- LP 30 - Biodiversity and Geodiversity
- LP 33 - Trees
- LP 43 - Waste Management Hierarchy
- LP 51 - Protection and Improvement of Local Air Quality
- LP 52 - Protection and Improvement of Environmental Quality
- LP 53 - Contaminated and Unstable Land
- LP60 - The re-use and conversion of buildings

### **National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

Chapter 2 - Achieving Sustainable Development  
Chapter 4 - Decision-Making  
Chapter 5 - Delivering a Sufficient Supply of Homes  
Chapter 8 - Promoting Healthy and Safe Communities  
Chapter 9 - Promoting Sustainable Transport  
Chapter 11 - Making Efficient Use of Land  
Chapter 12 - Achieving Well-Designed places  
Chapter 13 - Preserving the Green Belt

Chapter 14 - Meeting the Challenge of Climate Change, Coastal Change and Flooding

Chapter 15 - Conserving and Enhancing the Natural Environment

## **Supplementary Planning Guidance**

Housebuilders Design Guide SPD (2021)

Kirklees Council has adopted supplementary planning guidance on new housing development which now carries full weight in decision making. 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). As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to new housing development.

Highway Design Guide SPD (2019)

Kirklees Council has adopted supplementary planning guidance on highway design which carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding highway design and layout, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF). As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to highway design

## **Assessment**

### **Principle of development:**

The application is for the change of use of an existing structure which is located within the Green Belt in Kirklees.

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 within the Green Belt and therefore the main issues are:

- Whether the proposal would be inappropriate development for the purposes of the NPPF and Kirklees Local Plan
- The effect of the proposal on the openness of the Green Belt, and on the character and appearance of the area
- If found to be inappropriate development, whether the harm by reason of inappropriateness is clearly outweighed by other considerations, so

as to amount to the very special circumstances necessary to justify development

*Is the development inappropriate in the Green Belt?*

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt, these are as follows:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of historic towns; and
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

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. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

*Exemptions*

Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless the proposal accords with one of the exemptions outlined in paragraphs 154 and 155.

*Consideration of paragraph 154*

For paragraph 154, it is considered, in this instance, that the following exemptions may be relevant:

- (g) 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.

Policy LP60 of the Kirklees Local Plan provides some parameters for what would normally be considered acceptable alterations for the reuse and conversion of buildings.

This states that:

'a. the building to be re-used or converted is of a permanent and substantial construction;

- b. the resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape, including through the treatment of outside areas such as means of access and car parking, curtilages and other enclosures and ancillary or curtilage buildings;
- c. the design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting and the activity can be accommodated without detriment to landscape quality, residential amenity or highway safety.

Officers have reviewed the details provided and consider that, the built form of the structure would largely be the same and the proposed parking would be relatively inconspicuous given the site setting.

Officers consider that the proposal would accord with LP60 of the Kirklees Local Plan.

Subsection (b), and (c) outline the following points:

*'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.'*

The policy goes further to state that:

*'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 extent of the existing footprint should not normally be exceeded, although it may be possible to redistribute built form on the site provided that the resulting impact is no more than that of the existing development.'*

It should be noted that the updated NPPF supersedes the guidance set out within the Kirklees local plan, with the reference to development not resulting in 'substantial harm' rather than 'greater impact' on openness'. Development on previously developed land can now only be considered inappropriate if it causes substantial harm to openness.

It is considered that the proposal would largely be contained within the parameters of the existing structure, with no additional extensions/structures being proposed.

On consideration of exemption g of paragraph 154, for the redevelopment of previously developed land, it is considered that the site would satisfy the NPPF definition of previously developed land.

Grey Belt

With regard to exemptions, paragraph 155 of the NPPF states: “*The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:*

- 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;*
- a. There is a demonstrable unmet need for the type of development proposed;*
- b. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- c. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”*

‘Grey Belt’ is defined in the NPPF glossary 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.*”

Owing to the previous use of the site within an agricultural setting, officers would not consider the land to constitute previously developed land and would not consider it appropriate to consider the land as Grey Belt.

In conclusion, the principle of development would therefore be considered acceptable. Notwithstanding this, a more detailed assessment of the proposal’s design and its impact on the surrounding environment, assessed against Policy LP24 of the Kirklees Local Plan amongst other Policies, is undertaken below.

### **Visual Amenity:**

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby 126 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...”

The NPPF states that design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.

In addition to this, the NPPF outlines 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.

The proposed alterations to the existing structure would be considered marginal due to them being limited to adding fenestration to an existing building. The structure already benefits from openings that windows could be inserted into and therefore it is considered acceptable.

The proposal would also introduce grass crete to facilitate a parking area for the development. Officers consider that this would be located in close proximity to a boundary wall and would have limited vantage points in the public realm. The proposed building is not an independent residential dwelling and would not be continually occupied which would lessen the proposals impact.

Given the above, the proposal is considered to be in accordance with Policies LP24 of the Kirklees Local Plan and Chapters 12 of the NPPF.

### **Residential Amenity:**

Section B of Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring they provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings. Further to this, The National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

In addition to this, Policy LP52 of the Kirklees Local Plan states that proposals which have the potential to increase pollution from noise, vibration, light, dust, odour and other forms of pollution must be accompanied by evidence to show the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Builder's Design Guide SPD goes

into further detail with respect to Key Design Principle 6 on maintaining high standards of residential amenity.

Adjoining neighbours are considered to be located a sufficient distance away that no issues would be raised regarding overshadowing/loss of light or overbearing.

The site has residential properties in the wider area and the occupiers of these could potentially be disturbed by noise generated during the construction process. To avoid this, it is recommended that in this instance a footnote is imposed limiting such works to between the hours of 7.30am and 6.30pm Monday to Friday, 8am and 1pm on Saturdays with no working permitted on Sundays or Public Holidays.

In view of the above, it is considered that the development will be acceptable in neighbour amenity terms reasonably meeting the requirements of Policy LP24 of the Local Plan in this regard.

### Future Occupiers

In terms of the amenities of the proposed occupiers, Principle 16 of the Kirklees 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."

Notwithstanding the above, National space standards require the following gross internal floor area for a three bed two storey dwelling:

1 Bedroom, 2-person dwelling set over 2storey's- 58square metres.

The proposed floor plans show the proposal would have one bedroom; however, it would fall substantially short of space standards.

Officers consider that, the proposal would not operate as an independent dwelling and would be a short stay holiday let; therefore, the proposal would not be required to accord with space standards. Offices consider it necessary and reasonable to add conditions to this effect should planning permission be approved.

The proposed development, subject to conditions, is therefore considered acceptable in terms of residential amenity and it is considered that the proposed development complies with Local Plan Policies LP24 and Chapter 12 of the National Planning Policy Framework.

### **Impact on Highway Safety:**

With regards to Highway Safety, Policies LP21 and 22 of the Local Plan have been considered along with the KC Highway Design guide. The policies seek to ensure that new developments have an acceptable impact on highway

safety and provide sufficient parking and access to sustainable transport options.

The proposal would create a holiday let utilising an existing structure which would be located on a non adopted road.

There is an existing access on site which the proposed plans demonstrate would be utilised.

The proposal has been reviewed with KC Highways Development Management and initially further details were requested relating to waste storage and parking provision.

The applicant has confirmed that one parking space would be provided and waste would be removed via existing contracts associated with the campsite.

Therefore, having taken into account the above, KC Highways Development Management consider the layout to be acceptable subject to the aforementioned conditions. This is to accord with Policies LP21 and LP22 of the KLP and the Councils Highways Design Guide.

### **Other matters:**

#### *Climate Change*

On 12<sup>th</sup> November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposal is for alterations to an existing structure and it is considered that details regarding climate change will be assessed by Building Control.

Therefore, due to the limited scale of the development, the proposal would comply with the aims of policies LP24 and LP51 of the KLP and chapters 9 and 14 of the NPPF, which seek to promote sustainable transport and to support low carbon future.

#### *Biodiversity Net Gain/Bats/ Ecology*

Chapter 15 of the NPPF relates to conserving and enhancing the Natural Environment. Paragraph 179 of the NPPF outlines that decisions should promote the protection and recovery of priority species, and identify and

pursue opportunities for securing net gains for biodiversity. Paragraph 180 goes on to note that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Policy LP30 of the Kirklees Local Plan echoes the NPPF in respect of biodiversity and outlines that development proposals should minimise impacts on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist.

There have been updates to Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021, which result in biodiversity net gain being a statutory requirement. Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, unless the development falls within one of several exemptions. In this case, the proposal would accord with the deminimus exemption, and no further details would be considered necessary.

The site is not located within any layers on the councils GIS system which indicate any protected species could be present on site; however, the applicant is reminded that Great Crested Newts, Bats and their roosts and Badgers and their setts are fully protected under the EC Habitats Directive, transposed into UK legislation by the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats Regulations 2017 (as amended). It is an offence to A) Kill, injure or take a protected species. B) Destroy a place where they live or breed. C) Damage one of the above places. D) Disturb a bat/badger.

It is considered that the proposal would therefore accord with LP30 of the Kirklees local plan and chapter 15 of The National Planning Policy Framework.

### *Trees*

Policy LP33 of the Kirklees Local Plan states that 'The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity. Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment, including the Wildlife Habitat Network and green infrastructure networks'.

There are no trees of merit on site.

Therefore, the proposal would be considered to accord with LP33 of the Kirklees Local Plan.

### *Contaminated land/Coal Mining Legacy:*

Chapter 15 of the NPPF promotes safe and healthy living environments and requires that land contamination and other environmental constraints are considered and mitigated as part of the planning process.

Policies LP51 and LP53 of the Kirklees Local Plan seek to ensure that development does not cause, or results in exposure to, pollution or environmental risks that would be harmful to human health or the environment. These policies require developments to be appropriately assessed and, where necessary, remediate to ensure that sites are suitable for their intended use.

The site is located in a low risk coal and limited ground works are proposed to facilitate the application.

In accordance with paragraph 197 of the NPPF, it is the applicants responsibility to ensure the site is safe for occupation. Officers will add an unexpected contaminated land condition to the application.

Subject to the imposition of conditions, it is considered that the proposal will reasonably satisfy the requirements of Policy LP53 of the Council's adopted Local Plan and of Chapter 15 of the National Planning Policy Framework in land contamination terms.

### **Representations:**

Two representations were received which raised the following concerns:

- Lack of services  
**Officer response:** *This is not a planning matter, however it is considered due to the scale of the development, appropriate facilities could be provided on site.*
- Highways Concern  
**Officer response:** *The site is not located on an adopted road or PROW and therefore officers are unable to restrict vehicular access.*
- Future planning applications  
**Officer response:** *The proposal would require further planning applications to be utilised as a use other than as a short term holiday let. These applications would be assessed against relevant national and local policy at that time.*

### **Conclusion:**

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

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the

development would constitute sustainable development and is therefore recommended for approval.

**Recommendation**

**Approve**

**Decision Authorisation - Delegated Powers**

**Application Number: 2025/92591**

**Officer Recommendation: Approve**

1. The development hereby permitted shall be begun within three years of the date of this permission.  
**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.
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, in the interests of residential amenity and highway safety and to accord with Policies LP1, LP2, LP21, LP22, LP24, and LP52 of the Kirklees Local Plan, and Policy within the National Planning Policy Framework.
2. The use of the building hereby approved shall be let and occupied solely for the purposes of short term use and shall not be occupied as a main or principal place of residence. No person occupying the unit shall remain as an occupier for a continuous period of more than 28 days. Having vacated, no person shall return to occupy the unit overnight until a minimum period of 14 days has elapsed.  
**Reason:** In the interests of residential amenity in accordance with Policies LP24 and LP52 of the Kirklees Local Plan and Policy within Chapter 12 of the National Planning Policy Framework.
3. The development hereby permitted shall be occupied by a maximum of 2 occupants at any time.  
**Reason:** For the avoidance of doubt as to what is being permitted, in the interests of the amenity of the occupiers of the accommodation and the amenity of neighbouring occupiers and in the interests of highway safety to accord with policies LP22 & LP24 of the Kirklees Local Plan and Policies within Chapters 9 & 12 of the National Planning Policy Framework.
4. Prior to the installation of any external lighting, a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats

and Artificial Lighting at Night), shall be submitted to, and approved in writing by, the Local Planning Authority. The Sensitive Lighting Strategy will demonstrate that the lighting will not impact upon ecological networks and/or sensitive features. External lighting shall be installed in accordance with the specifications and locations set out within the approved lighting scheme and retained thereafter.

**Reason:** In the interests of biodiversity and in accordance with Policy LP30 and Chapter 15 of the National Planning Policy Framework 2024.

5. A bird box shall be incorporated into the dwelling during the construction phase; the boxes shall be long-lasting Schwegler 'woodcrete' type or similar and be sited at least 4 metres above ground level. The bird box shall be provided prior to first use of the structure and thereafter be retained.

**Reason:** To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan, Principle 9 of the Housebuilders Design Guide SPD and Chapter 15 of the National Planning Policy Framework

6. In the event that contamination not previously identified by the developer is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority. No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to accord with LP53 of the Kirklees Local Plan and policies contained within Chapter 15 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 2019. 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:** 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	EX002		23/09/2025
Proposed Site Plan	(20(002)	a	11/11/2025
Existing Elevations and Floor Plans	EX 001)		23/09/2025
Proposed Elevations and Floor Plans	(20)001		23/09/2025
Climate Change Statement			23/09/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

Officers requested clarification on waste disposal and vehicular access on site during course of the application. An amended block plan was provided to show parking.