

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:	2025/62/92706/W
Site Address:	Manor Farm, Lower Greave Road, Meltham, Holmfirth, HD9 4DY
Description:	Partial demolition of and extensions and alterations to outbuilding to form one dwelling (within a Conservation Area)
Recommending Officer:	Molly Storer

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: 2nd February 2026

The Site

The wider site comprises part of a dilapidated 'u shaped' traditional stone barn complex which is under a stone slate roof and is part single storey/two storey. The two storey southern leg of this building is outside of the current application site and was repaired and converted into two dwellings around 2021. To the west of the building is the two storey western leg of the barn, which is also outside of the application area.

The specific application site is the single storey northern arm of the building which protrudes from the eastern wall of this aspect so as to form a 'u shaped' barn complex. The site is accessed off Wilshaw Road to the south of the site, then via part of the unadopted Lower Greave Road and a winding vehicular hard-surfaced track that branches eastwards off Lower Greave Road, which also serves the residential property of No. 22 Lower Greave Road immediately to the south of the site. The track is not hard-surfaced where it runs close to the eastern wall of the barn subject of this application (i.e. it is a dirt track). Lower Greave Road forms part of Public Right of Way MEL/63/10.

The site is at the north-eastern end of the hamlet of Wilshaw, with open countryside to the north and east of the site. Residential properties are situated to the south and south west of the site, with the newly converted two dwellings of 24 and 26 Lower Greave Road located to the south of the courtyard area to the front of the barn.

The site and surrounding land falls downwards from south to north. The site is within the Green Belt and within the Wilshaw Conservation Area.

The Proposal

The applicant is seeking planning permission for the partial demolition of and extensions and alterations to outbuilding to form one dwelling (within a Conservation Area).

The proposal seeks to partially demolish and make alterations to the outbuilding which likely once an agricultural building associated with 'The Manor House'.

The demolition will take place to detach the outbuilding from the existing development.

This will create a 3-bedroom home with accommodation over 2 floors. The ground floor will feature an open plan kitchen/dining area as well as a separate snug, a bathroom and a bedroom. The first floor will have 2 further bedrooms as well as 2 ensembles and storage.

The proposed materials are stone walling to match the existing and for the corrugated fibre cement roof to be replaced with an artificial stone slate roof. The walled up windows and steel door will be replaced with painted timber casement windows and composite and power coated metal doors.

History of Negotiations

The agent was contacted as there were concerns with regard to the original proposal. The original scheme showed a flat roof dormer extension it was noted that there are no such dormers in the immediate area, and the scale and design is not considered to preserve or enhance the Conservation Area. The agent responded with amended plans showing these omitted and replaced with rooflights.

Planning History

87/05559 – Outline application for 7 dwellings and associated garages and change of use of farm buildings to 11 dwellings – Approved on 7th April 1989

94/90621 – Renewal previous permission for change of use of farm buildings to 11 dwellings – Approved on 15th June 1994.

99/91639 – Renewal of unimplemented permission for change of use of farm buildings to 11 dwellings – Approved on 13th August 1999.

2004/93296 – Renewal of unimplemented permission for change of use of farm buildings to 11 dwellings – Approved on 23rd September 2004.

Planning history for the two storey southern leg of this building (now 24 and 26 Lower Greave Road):

2021/92596 – Conversion of outbuilding including alterations to form two dwellings (within a Conservation Area) – Conditional Full Permission 14th March 2022.

Publicity & Representations

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

Final publicity date expired: 5th December 2025

One representations were received as a result of the publicity.

This is summarised below:

- This developer has recently completed the conversion of Manor Farm Barn into two 5 bedroom dwellings.
- They breached the conditions of this permission.
- Concerns that the developer will not adhere to conditions on this application.
- Concerns about noise and disturbance as a result of the works.

Meltham Town Council - Noted but to consider the neighbours comments.

Consultations

KC Conservation and Design: No objections

Allocation & Policies

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

The site is within the Green Belt within the Kirklees Local Plan and is also within the Wilshaw Conservation Area..

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

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP3 Location of new development
- LP11 Housing mix and affordable housing
- LP21 Highway Safety

- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP35 Historic Environment
- LP51 Protection and Improvement of Local Air Quality
- LP52 Protection and Improvement of Local Environmental Quality
- LP57 The extension, alteration or replacement of existing buildings
- LP60 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 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

Supplementary Planning Guidance

Housebuilders Design Guide SPD (June 2021)
Kirklees Highway Design Guide (November 2019)

Legislation

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

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'.

Assessment

1 – Principle of development:

Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

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

As set on in NPPF paragraph 11d, this means that for decision making *"Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Policy LP7 of the Kirklees Local Plan states encourages the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value and a net density of at least 35 dwellings per hectare (dph) should be provided. Principle 4 of the Housebuilders Design Guide seeks to ensure a density of 35 dwellings per hectare or more is achieved. Where a density of 35 dwellings per hectare cannot be achieved,

policy LP7 sets out that lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs.

The overall site area would result in a lower development density than 35 dph, which is partially due to the inclusion of the access route, which accounts for a portion of the site's total size.

Given the size of the site, it is not considered feasible for more than one dwelling to be provided within the red line. Furthermore, even if there was a possibility to provide more dwellings at the site, it would increase the potential for other material planning issues to arise, which could have a harmful impact, including on the openness of the Green Belt and highway safety. This is because for more than one dwelling to be situated on the site the barn would likely have to be removed and replaced with more dwellings. Therefore, in this instance, the density of development is considered to be appropriate.

In this instance, the site comprises of a plot, which currently hosts an outbuilding. A more detailed assessment of the proposal's design and its impacts on visual and residential amenity, highway safety and other relevant considerations, is undertaken in the following report. The conclusion section of this report sets out the conclusions in relation to the principle of the development in light of all other material considerations.

Land Allocation (Green Belt)

The application site is located within the Green Belt. As such the proposal falls to be assessed against Chapter 13 of the NPPF. Chapter 13 of the NPPF requires Local Planning Authorities to regard the construction of new buildings as inappropriate development. Exceptions to this include the re-use of buildings provided that the buildings are of a permanent and substantial construction, engineering operations, and the extension and alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

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

Policy LP60 of the Kirklees Local Plan reiterates the first exception as stated above, by stipulating that the conversion or re-use of buildings in the Green Belt will normally be acceptable where:

- a) The building to be re-used or converted is of a permanent and substantial construction.
- b) The resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape.
- c) The design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting.

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

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

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

This application seeks planning permission for alterations to an outbuilding to form a dwelling. There are no additions or extensions proposed to the barn and the barn does not appear to have been previously extended.

The proposal would see some level of external works, including to the existing access arrangements of the site, with a section of the access widened. The red line boundary is reasonably tight to the building to allow for a commensurate level of amenity space whilst restricting the extent land would be subject to change of use to residential curtilage. Restricting pd rights would ensure this is not substantially developed, particularly in relation to outbuildings.

Turning to policy LP60, the proposal is considered in the context of the planning history. It is concluded that the building is of permanent / substantial construction and as no works / extensions are proposed it is considered it would not significantly urbanise the site over and above that which can take place in any event. The design and materials are considered to be sympathetic and suitable as part of the development.

Paragraph 154 (h)(iv) of the NPPF sets out re use of buildings provided that the buildings are of permanent and substantial construction, preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt can be an appropriate exception. In this case, taking account the proposal is considered to be compliant with policy LP60, the proposal is considered to comply with this part of paragraph 154, particularly due to the footprint of the outbuilding remaining largely unchanged with it seeing a slight reduction where the attached outbuilding will become detached. Therefore the proposal is considered to meet this policy requirement.

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

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

2 – Impact upon visual amenity

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

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

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

- *Taking cues from the character of the built and natural environment within the locality.*
- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*
- *Illustrating how landscape opportunities have been used and promote a responsive appropriate approach to the local context.”*

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

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to ‘have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses’.

Sections 66 and 72 of the Planning (Listed Building & Conservation Areas) Act (1990) are mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Furthermore, LP35 states that: “development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”

Policies within Chapter 16 of the NPPF are of relevance, this chapter initially sets out that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 207 of the NPPF details that applicants must describe the significance of any heritage assets affected, including any contribution made

by their setting and that the LPA should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

Paragraph 213 of the NPPF details that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. In the event of such harm being considered substantial the justification would need to be exceptional / wholly exceptional if such harm relates to Grade II listed buildings or buildings, parks monuments, battlefields world heritage sites with a higher degree of protection.

With regard to the proposed layout of the site, as the application is for alterations to the outbuilding with the dormer extension removed, the site layout would remain largely unaltered – with the only change in footprint being to detach the outbuilding. Given that the proposals will not significantly change the current arrangement, the proposals are considered to accord with Principle 5 of the above SPD.

The heritage statement notes that the site falls within Area E of the Conservation Area appraisal.

This states:

“Lower Greave is a cluster of large, associated buildings with barge boarding at the eaves, round arched windows, natural local stone and stone slate roofs (E). This is the site of the Manor House and associated agricultural buildings, the barn size symbolises the wealth of the old settlement of Lower Greave. Once past the 4 Manor House, the road appears to end abruptly and the undulating moors and woods appear on the skyline. This is a reminder of how prominent this part of the conservation area must appear from the valley below and any development in this area should be respectful of this prospect.”

It highlights that whilst Manor House is not Listed the view from the entrance of Lower Greave Road looking towards the Manor House and associated buildings is considered as an important view and vista in the Conservation Area.

The Heritage Assessment concludes that the proposal would have a neutral impact upon the non-designated heritage asset of the outbuilding. It is considered that the re-use of this non-designated heritage asset would not cause harm to the significance of the non-designated heritage asset or the Wilshaw Conservation Area subject to the building retaining its character.

It should be noted, that whilst not clearly visible from a public highway used by vehicles, the barn is visible from public footpaths which run within close proximity of the barn complex, therefore the proposed development would be visible from the public domain.

The proposed materials for construction are stone walling to match existing and the roof will be constructed from artificial stone slate. The application form states that the existing construction materials for the roof are corrugates fibre cement.

This design is considered to have an appropriate impact on the visual amenity of the barn, and the matching materials would reduce its impact on the visual amenity of the area. The roof materials will ensure the roof has longevity.

As part of the assessment and determination of this application, an informal consultation was undertaken with KC Conservation and Design. The Conservation and Design Officer stated that with regards to the original proposal which showed a flat roof dormer extension - it was noted that there are no such dormers in the immediate area, and the scale and design is not considered to preserve or enhance the Conservation Area. The agent responded with amended plans showing this omitted and replaced with rooflights.

Whilst the use would become residential in an a once agricultural setting, it is considered the harmful impact of the building in terms of impacting the setting of the Conservation Area is largely in place already as a result of the existing structure. Furthermore, the majority of the outbuildings/barns in the immediate area have been adapted to become residential therefore this would not appear out of place.

The proposal would have a limited public benefit in bringing an existing building into use for residential purposes. There is also additional benefit in terms of the appearance of the building, which is currently in a deteriorating condition, being brought into an appearance which is of an improved condition. A condition of any approval which requires acceptable materials in keeping with the building to be utilised is recommended.

The scheme retains much of the existing fenestration on the southern elevation of the property and will use existing openings in the most part for this elevation and the east elevation. New openings would be put in the north elevation however this is considered acceptable due to the property not being listed and the dormer window being removed.

Given the above, the proposal is considered to be in accordance with Policies LP24(a), LP35 and LP60 of the Kirklees Local Plan and Chapters 12 and 16 of the NPPF.

To ensure the boundary treatments of the development are acceptable a condition requiring boundary treatments to be submitted should any be intended to be installed further to existing is recommended. Given the submitted plans sets out landscaping details and parking / surfacing details it is considered that on the basis any approval requires the scheme to be in accordance with the approved plans these elements of the proposal are acceptable to be secured by condition.

3 – Impact on residential amenity:

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

Further to this, paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future occupiers.

Principle 6 of the Housebuilders Design Guide sets out that residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.

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

- 21 metres between facing windows of habitable rooms;
- 12 metres between windows of habitable rooms that face onto windows of non-habitable rooms;
- For a new dwelling in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metre distance from the side wall of the new dwelling to a shared boundary.

Impact to Neighbouring Properties:

The properties most likely to be impacted by the proposal are 24 and 26 Lower Greave Road to the south of the site. These properties are currently

under construction under application number 2021/92596. The separation distance between these properties would be 12m.

From viewing the plans on this application it would appear for the most part non-habitable room windows would face onto habitable room windows. With the garage, bathroom and storage room windows facing onto the lounge and kitchen of No.26. the majority of the proposed windows within the kitchen/dining/living room of the proposed property would look onto a blank wall and hall room window at No.24. in one instance a small window at the proposed property which is to serve the end of the kitchen/dining/living room and stairway would face onto the living room window at No.24 however given the separation distance although this is not 21m on balance this arrangement is considered acceptable in terms of privacy.

There are no concerns with regard to overbearing/overshadowing as the height of the building will not increase and the footprint will be reduced.

There is another property within the immediate vicinity of the site – 22 Lower Greave Road located 21m to the southwest. Whilst there are windows within the south and west elevations of the new dwelling these would maintain a separation distance of ~22m and due to the topography of the site the barn sits at a lower land level with No.24 and 26 under construction properties screening the majority of the building. Therefore, it is considered that the proposed development would not result in any unacceptable degree of overlooking or loss of privacy to neighbouring occupiers.

It is considered that the proposed dwelling would retain a sufficient distance from the other residential properties outside of the immediate vicinity of the site (other properties at Lower Greave Road located over 35m away) as to prevent undue impacts of overlooking, overshadowing and overbearing.

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

Noise, Dust / Odour

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

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

Taking into consideration noise and odour pollution, given that the application seeks permission for alterations with the dormer remove, it is not considered that the proposal would give rise to any noise, dust or odour pollution over and above the existing circumstance of the surrounding area.

Due to neighbour concerns regarding noise during the construction process should the application be approved, a footnote will be included advising such works to take place 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.

Amenity of Future Occupiers of the Proposed Dwelling:

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

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

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

To ensure artificial lighting does not significantly impact neighbouring occupiers a condition requiring submission of such lighting should it be intended to be installed shall be included.

In conclusion, it is considered that the proposals would not result in significant impacts on the privacy and amenity of any neighbouring occupants,

complying with Policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework. The proposals are also considered to accord with Principles 6,16 and 17 of the Council's Housebuilders Design Guide SPD.

4 – Impact on highway safety:

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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

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

With regard to access the current access to the site off Lower Greave Road is to remain unaltered. The access is considered to be unadopted and sufficient to accommodate an additional dwelling. It is also considered that there is sufficient space for parking to the side of the new dwelling.

For these reasons the proposed development is considered to comply with the requirements of LP21, LP22 and LP24 part d(vi) and LP43 of the Kirklees Local Plan and the Kirklees Highway Design Guide SPD.

5 – Other matters:

Ecology

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

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

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which

protect, by law, the habitat and animals of certain species including newts, bats and badgers.

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

Given the existing roofs construction and extent of works to be undertaken as well as the findings of surveys undertaken as part of application 2021/92595 and requirements of bats in law should they be encountered it is considered the impact of the development in this regard would not be significant although an informative note is recommended to draw the applicants attention to the requirements should bats be encountered.

No details of artificial lighting have been submitted, to ensure the impact is acceptable in relation to bats any approval would require such lighting to first be submitted and approved in writing with the LPA.

In line with local and national policy, an enhancement for the site is recommended, this being a single integrated bat brick incorporated in a suitable location within the fabric of the building. Given the potential for bats, Officers consider that the provision of a bat box on the building could be conditioned so as to provide net gain.

Climate Change

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

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate

Change statement has been submitted with this application and this is considered sufficient.

Contaminated Land

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

Air Quality:

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

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

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

6 – Representations:

One representations were received as a result of the publicity.

This is summarised below:

- This developer has recently completed the conversion of Manor Farm Barn into two 5 bedroom dwellings.
- They breached the conditions of this permission.
- Concerns that the developer will not adhere to conditions on this application.
- Concerns about noise and disturbance as a result of the works.

Officer note:

This application is assessed on its own merits. It is considered it would be unreasonable of the LPA to refuse permission on the basis of a previous breach of planning control. An informative note will be placed on any grant of permission in relation to construction hours.

7 – Conclusion:

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

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

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/92706

Officer Recommendation: Approve

Conditions

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

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

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP11, LP21, LP22, LP24, LP30, LP31, LP51, LP52, LP53, LP57 & LP60 Principles 2, 5, 6, 12, 13, 14, 15 16, 17, 18 & 19 of the Housebuilders Design Guide Supplementary Planning Document, Policies 1, 2, 11, 12 & 13 of the Holme Valley Neighbourhood Development Plan and Chapters 2, 4, 5, 11, 12, 13, 14 & 15 of the National Planning Policy Framework.

3. The materials of construction used in the works to the external walls of the building shall be carried out in stone walling to match the existing building and the roof of the building shall be constructed from artificial stone slate. These materials shall be thereafter retained.

Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, Principle 13 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.

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

Reason: To ensure public safety and to comply with LP 53 of the Kirklees Local Plan, and Chapter 15 of the National Planning Policy Framework.

5. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) no development included within Classes A, AA, B, C, D or E of Part 1 and / or class A of Part 2 of Schedule 2 to that Order shall be carried out within the site outlined in red on the hereby approved Location Plan without the prior written consent of the Local Planning Authority.

Reason: In the interests of the Green Belt and visual amenity and the setting of the adjacent listed building to accord with policies LP24 and LP35 of the Kirklees Local Plan and policies within Chapters 12 & 13 of the National Planning Policy Framework.

6. No external artificial lighting shall be erected within the site, unless and until details of size, location, orientation, lighting level and any associated fixing apparatus have first been submitted to and agreed in writing by the Local Planning Authority. The submitted scheme shall demonstrate conformance with established guidance document Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night. The submitted scheme shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. No external artificial lighting shall be erected within the site other than that which has been approved by this condition which shall be retained thereafter.

Reason: In the interests of visual amenity, residential amenity and biodiversity and in accordance with Policies LP24, LP30 & LP35 of the Kirklees Local Plan and policies within Chapters 12, 15 and 16 of the National Planning Policy Framework.

7. One bat box shall be incorporated into of the converted building hereby approved; the boxes shall be long-lasting Schwegler 'woodcrete' type or similar and shall be located away from sources of light. The bat box shall be provided prior to first occupation of the dwelling hereby approved and thereafter be retained.

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

8. Notwithstanding the details shown on the approved plans, no boundary treatment(s), fence, wall, gate or means of enclosure shall be installed unless and until a scheme detailing the boundary treatment to be installed has been submitted to and approved in writing by the Local Planning Authority. Only the boundary treatment(s), fence, wall, gate or means of enclosure approved by this condition shall be installed.

Reason: In the interests of visual amenity and preserve the setting of the conservation area to accord with policies LP24 & LP35 of the Kirklees Local Plan, principles 5 and 6 of the Council's adopted Housebuilders Design Guide SPD and Policies within Chapters 12, 13 and 16 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice

- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

NOTE: NOTE: No construction related noise shall be audible beyond the site boundary outside the hours of: 07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00 hours, Saturdays with no construction related noise audible beyond the site boundary on Sundays or Public Holidays.

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

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: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	C912 09	-	26/09/2025
Site Plan	C912 08		26/09/2025
Existing and proposed plans and elevations	C912 10	2	28/01/2026
Conservation/heritage assessment	-	-	26/09/2025
Application form	-	-	26/09/2025

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. The agent was contacted due to concerns with the flat roof dormer on the original scheme. This was omitted from the scheme in line with recommendations.

No coal