

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:	2025/62/92739/W
Site Address:	Old Biggin Farm, Cold Hill Lane, New Mill, Holmfirth, HD9 7DN
Description:	Demolition of existing dwelling and erection of detached dwelling with associated works
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: 8th December 2025

Site Description

The application site relates to Old Biggin Farm, Cold Hill Lane, New Mill. The application site measures approximately 0.87ha and is located at the top of Cold Hill Lane within New Mill. It is found on the north-east side of the Holmfirth Valley and can be accessed via 2 driveways located directly off Cold Hill Lane. The current dwelling comprises of a large detached two-storey 3 bedroomed property. The dwelling is not highly visible from the public highway, except when viewed from the main driveway entrance. The site includes a number of trees to the east and south-west.

To the north, west and east is open countryside, with the nearest residential properties being located to the south and north-east. There are a number of Public Rights of Way within the vicinity of the site, including HOL/36/20 adjacent to the north boundary of the site, HOL/43/30 to the south and HOL/45/40 to the east.

The site is within the Green Belt. The application site is not located within a Conservation Area nor located in close proximity to any listed buildings. The majority of the site is within a development low risk coal mining area, but the northern tip of the site is within a development high risk coal mining area.

Description of Proposal

The applicant is seeking permission for the demolition of existing dwelling and erection of detached dwelling with associated works.

The applicant seeks to demolish the existing detached two-storey, 3-bedroomed dwelling and replace it with a 4 bedroom, two storey building with underground living accommodation and parking that is offset to the east, which will require excavation.

The proposal would see the creation of a terrace above the proposed garages.

Private amenity areas are to remain to the front, sides and rear, with off-street parking provided to the front of the property on the driveway, and within the integral garage within the basement element of the dwelling to the south.

The new dwelling is to be located largely in the same position as the existing dwelling, with the total floor space measuring 517m², and total volume being 1800m³. The dwelling will have an overall height of 8.2m and eaves of 6m.

Materials proposed for the construction of the new dwelling include natural coursed stone, stone slate roof tiles, ppc aluminium windows in cream, with a green oak canopies.

Hedging and planting is proposed along the edges of the hardstanding areas.

History of Negotiations

The officer requested an Arboricultural Impact Assessment (AIA) & an Arboricultural Method Statement (AMS) to be submitted to assess the impact on trees within the site and to ensure adequate protection measures would be in place. The agent submitted an AIA and AMS which has been reviewed by KC Trees who consider the documents acceptable and have raised no objections to the proposed scheme.

Relevant Planning History

2022/91154 - Demolition of existing dwelling and erection of detached dwelling including new landscaping and tennis court – Refused 21st October 2022.

Reasons for refusal:

1. The development, consisting of a large replacement dwelling, tennis court and associated engineering works, would result in a materially larger building than the dwelling it is to replace, whilst also having a significantly greater impact upon the openness of the Green Belt compared to the existing development, therefore the development constitutes inappropriate development in the Green Belt with regard to Paragraphs 149 (b), (d) and (g) and 150 (b) of the National Planning Policy Framework. In addition to this, the development, including the tennis court and associated engineering works would cause greater harm to the openness of the Green Belt whilst also encroaching further into the open countryside thereby conflicting with one of the purposes of including land within Green Belts. There are no very special circumstances which clearly outweigh the harm caused by reason of inappropriateness and other harm. The development is therefore contrary to Policies LP56, LP57 and LP59 of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework, as well as Policy 6 of the Holme Valley Neighbourhood Development Plan.

2. The proposed dwelling, by reason of its overall large scale and massing, and incongruous design, including the proposed untraditional and bulky glazed gable projections and green oak canopy, as well as the extensive engineering works including tennis court, excavation and hard surfacing, would result in an overly dominant dwelling and urbanising form of development that causes detrimental harm to the rural character of the area. Therefore, the proposal would be contrary to Policies LP1, LP2, LP11 and LP24 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan, Principles 2, 13 and 14 of the Council's adopted Housebuilders Design Guide Supplementary Planning Document and Chapter 12 of the National Planning Policy Framework.

The application was dismissed at appeal on the 4th October 2023. Reasons provided for dismissal:

The proposal would be inappropriate development in the Green Belt even accounting for the potential to remove the proposed tennis court. I attribute substantial adverse weight to this matter. The harm to the openness of the Green Belt would be moderate and there would be conflict with one of the purposes of the Green Belt.

Although I have found that the proposal would not cause unacceptable harm to the character and appearance of the area, this is a neutral factor and does not outweigh the harm that I have identified. I conclude that the harm by reason of inappropriateness in the Green Belt, and the conflict with one of the purposes of the Green Belt, would not clearly be outweighed by the other identified considerations so as to amount to the very special circumstances required to justify the proposal. The proposal would conflict with the requirements of Policies LP57 and LP59 of the Local Plan and chapter 13 of the Framework as summarised above. It would also conflict with Policy 6 of the NP which supports housing development where it is acceptable in terms of national Green Belt policy.

The Council has referred to a conflict with Policy LP56 of the Local Plan and paragraph 149 b) of the Framework which relate to facilities for outdoor sport and outdoor recreation amongst others, in the Green Belt. The appellants request the tennis court aspect of the proposal to be removed. It has not therefore been necessary for me to come to a view on any conflict with Policy LP56 or paragraph 149 b) as it would not alter or outweigh my conclusion on the harm to the Green Belt which is decisive in the planning balance.

The Inspectorate decision is considered to be a material consideration which must be afforded weight in the consideration of this application in reference to the design of the scheme. Given changes in national policy, in relation to the Green Belt is considered there has been a material change in circumstances in this regard such that little weight could be afforded the decision of the Inspectorate in relation to their conclusions about the principle of development with respect to the Green Belt allocation of the site.

2010/92658 – Alteration and extension of existing dwelling – Withdrawn 18th November 2010.

93/03092 – Erection of loose boxes – Withdrawn 14th July 1993.
Pre-application

Representations

The application has been advertised by site notice and the final publicity expired on 21st November 2025.

Holme Valley Parish Council have stated they support the proposed development.

Consultation Responses

KC Ecology – No objection subject to conditions.

KC Trees – No objections.

The Mining Remediation Authority – No objections. Requested an informative to be added.

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 27th February 2019) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The application site is located within the Green Belt as identified within the Kirklees Local Plan and falls within the Holme Valley Neighbourhood Development Plan Area. It is also important to note that there are a number of Public Rights of Way within the vicinity of the site, including HOL/36/20 adjacent to the north boundary of the site, HOL/43/30 to the south and HOL/45/50 to the east.

Kirklees Local Plan (KLP):

- **LP1** – Achieving Sustainable Development
- **LP2** – Place Shaping
- **LP3** – Location of New Development
- **LP7** – Efficient and effective use of land and buildings
- **LP11** – Housing Mix and Affordable Housing
- **LP20** – Sustainable Transport
- **LP21** – Highways and Access
- **LP22** – Parking
- **LP24** – Design
- **LP28** – Drainage
- **LP30** – Biodiversity & Geodiversity
- **LP33** – Trees
- **LP51** – Protection and Improvement of Local Air Quality
- **LP 53** – Contaminated and unstable land
- **LP57** – The Extension, Alteration or Replacement of Existing Buildings
- **LP59** – Brownfield Sites in the Green Belt

Holme Valley Neighbourhood Development Plan (2020-2031)

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan. The

following policies are considered relevant to the determination of this application:

Policy 1: Protecting and Enhancing the Landscape Character of Holme Valley
“Overall, proposals should aim to make a positive contribution to the quality of the natural environment”

Policy 2: Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
“Proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings” and [proposals] “should protect and enhance local built character and distinctiveness and avoid any harm to heritage assets...”.

Policy 6: Building Homes for the Future
“In addition to the housing sites allocated in the Kirklees Local Plan new housing development will be supported subject so long as... the proposed housing is located within existing settlements not overwashed by Green Belt or is for housing acceptable in terms of national Green Belt policy... proposals for residential development involving the redevelopment of previously developed (brownfield) sites or the conversion of mill buildings and other suitable building to create low-cost housing and apartments is particularly encouraged”.

Policy 11: Improving Transport, Accessibility and Local Infrastructure
“New development...should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (Parking) and the Council’s latest guidance on highways design”.

Policy 12: Promoting Sustainability
“All new buildings should aim to meet a high level of sustainable, design and construction and be optimised for energy efficiency, targeting zero carbon emissions”.

Policy 13: Protecting Wildlife and Securing Biodiversity Net Gain
“All development proposals should demonstrate how biodiversity will be protected and enhanced”.

The application site is within Landscape Character Area 8 – Settled Slopes of the Holme Valley

Key landscape characteristic of the area are:

- Strong rural setting and agricultural character with pastoral farmland on the rising valley slopes.
- There is a strong connection to the surrounding rural landscape from long distance and panoramic views over the wooded valley floor to the opposing valley sides as well as glimpsed views of the rural backdrop through gaps between the built form, especially within Totties and Scholes.
- Stone walls and hedgerows form field boundaries and line single lane roads.

- Short sections of the Kirklees Way, the Barnsley Boundary Walk and the Holme Valley Circular Walk cross the area. A short section of National Cycle Route no. 627 also crosses the north-east of the area.

Key built characteristic of the area are:

- Older settlements are characterised by their agricultural and industrial past and there are isolated farmsteads on the valley slopes.
- Scholes and Wooldale are the largest of the settlements and contain some services and older and more modern development.
- Vernacular building materials include millstone grit walls with grey slate roofs.

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

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
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

1 – Principle of Development (Including impact on the Green Belt)

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.

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.”*

Paragraph 155 of the NPPF is also relevant and outlines:

“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; and*

- 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."*

The LPA acknowledges that the proposed development would meet the criteria of a-d as listed within Paragraph 155 of the NPPF. However, of particular relevance to this application proposal is part g) of paragraph 154, as the proposal would result in 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 site currently serves a residential dwelling which, for the purposes of assessment in the green belt, is considered previously developed land. The proposal comprises the demolition of the existing dwelling and the erection of a detached dwelling with subterranean garages and associated living accommodation.

Government guidance relating to assessments of the impact of a proposal upon the openness of the Green Belt states that each application will require a judgement to be made based on the circumstances of each case and that openness can be capable of having both spatial and visual aspects.

Although the existing residential building is lower in height and offers less floor area, the proposed dwelling presents a reduced overall footprint and volume. The dwelling will still appear two storey in height but feature a single storey element that is offset from the main dwelling to the east. This more prominent appearance may consequently affect the openness of the Green Belt to a greater extent.

The Local Planning Authority (LPA), notes that a similar proposal on the site was refused planning permission (application ref: 2022/91154). One of the reasons for this, was due to the proposed replacement dwelling being considered to be materially larger than the existing dwelling and would therefore have a greater impact on the openness of the Green Belt than the existing development. The addition of the proposed tennis court and engineering works would also cause greater harm to the openness of the Green Belt and result in encroachment. The proposed dwelling was also considered to result in an overly dominant dwelling and urbanising form of development that causes detrimental harm to the rural character of the area.

The application was also dismissed at appeal, with the inspectorate concluding that the proposed development would cause harm to the openness of the green belt and conflict with one of the purposes of the green belt – encroachment.

However, since this planning refusal, the wording of paragraph 154 (g) of the NPPF has been altered. The LPA must now therefore assess whether the

proposed development will cause substantial harm to the openness of the green belt as set out in paragraph 154 part (g). Substantial harm to openness must be so harmful that it in some way undermines the purposes of the Green Belt and results in seriously harmful urban sprawl. It is also noted that the scheme has been significantly reduced in size and scale since the previous refusal.

The LPA acknowledges the supporting information submitted which relates to the sites PD fall back position and the structural report, that concludes the building requires significant works to ensure the long-term serviceability and structural stability.

The height of the proposed dwelling above ground level, which would be predominantly two storeys, would not be markedly greater than the two-storey part of the existing dwelling, but it would obviously be higher than its single storey elements. While the proposed footprint is larger than that of the existing building, the overall footprint and volume would in fact be smaller. Nonetheless, given the height and overall scale of the replacement dwelling, it is considered that it would be materially larger than the existing structure and would therefore have a greater impact on the openness of the Green Belt.

However, the proposed design, scale, and siting of the dwelling are considered acceptable in this instance and would not result in harmful urban sprawl or cause substantial harm to the openness of the Green Belt. Although taller and incorporating larger areas of glazing, new gable features, and lower-level garages, the dwelling would occupy a broadly similar position on the site and would retain a sense of openness around the building. It is also noted that the proposed dwelling has been significantly reduced in scale compared with the recently refused application. Furthermore, the development would be screened from most external viewpoints by the dense, relatively tall vegetation surrounding much of the site boundary, limiting views from public areas.

There would be no increase in hardstanding, as the existing driveways are to be retained, and the surrounding soft-landscaped areas would remain untouched.

As such, although the new dwelling will have a greater impact on the openness of the green belt, the LPA do not consider the impact to cause substantial harm to the openness of the Green Belt and the proposal and is therefore considered to meet the requirements of the exception set out at paragraph 154(g).

For the reasons discussed above, it is therefore considered that the principle of the proposal does not constitute inappropriate development within the Green Belt and it accords with paragraph 154 exceptions G of the NPPF. Limited weight is afforded to policy LP59 in this case given the recent update to the NPPF in December 2024 and the fact the proposal does not accord with policy LP59(b) is not considered to be a reason for refusal that could be substantiated in this case.

Notwithstanding the conclusions drawn, it is noted that the development would have potential to undertake substantial additions through utilisation of pd rights, which could lead to the conclusion the impact is substantially harmful upon the openness of the green belt. As such it is therefore considered exceptional circumstances exist in this case which justify the inclusion of a condition by the LPA removing permitted development rights for development within Classes A, AA, B, C, E & F of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (As amended).

Furthermore, the extent of the red line boundary is considered to go over and above the extent of the residential curtilage of the dwelling. Therefore it is considered necessary to include a condition of any approval which identifies the area of associated residential curtilage. This would be included as a condition of any grant of permission.

2 – Impact upon 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 (HVNDP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), Settled Slopes of the Holme Valley (LCA8).

Policy 2 of the HVNDP states that *“proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings” and [proposals] “should protect and enhance local built character and distinctiveness and avoid any harm to heritage assets...”*.

The application site lies within a large residential curtilage, set back from the highway and accessed via private drives to both the front and rear. Residential properties in the surrounding area are dispersed throughout the locality and typically comprise large, two-storey detached dwellings set within generous plots.

The proposed dwelling would occupy an extensive plot and, despite its scale, would not appear overly dominant within the context of the site.

With regard to size and scale, the new dwelling would be taller than the existing property but shorter in overall length, and positioned largely within the existing footprint. The resulting consolidated form of the building is therefore considered acceptable.

Due to the sloping topography, the development would not feature prominently in views from the north across the valley. While the proposed property would be perceived as a large dwelling, the gables and areas of glazing, though contributing to the building’s mass and presence, are not considered so dominant as to appear visually overwhelming or discordant. The use of oak framing is also not regarded as an unsympathetic addition.

It is likely that lighting at night would be noticeable due to the extensive glazing proposed in the gables. However, while the glazing in the existing dwelling is not as extensive as that proposed, there would already be visible lighting at the site.

The dwelling would be constructed from natural stone coursing with stone slate roof tiles and oak gables, with stone mullions incorporated into the design. These materials are regarded as appropriate to the local vernacular and ensure that the building retains a traditional rural character, complemented by contemporary elements introduced through the oak gables. A clear architectural hierarchy has been established, resulting in a cohesive and legible overall composition.

External materials of the proposed dwelling will be conditioned to ensure visual amenity is protected.

The proposed engineering works to accommodate the lower-level garage and terrace above are not considered to result in any adverse visual impact on the character or appearance of the site. The existing hardstanding areas will be utilised, and the generous surrounding soft landscaping will be retained. Additional hedging and planting along the edges of the hardstanding will further help to soften the built form. Given the existing soft landscaping and trees on site, it is not considered necessary to impose a landscaping condition.

Submitted drawing BF-IVI-XX-ZZ-DR-A-90-008revP01 details that the proposed dwelling will be upon a ground and slab level similar / the same as that of the existing dwelling. On the basis the scheme is implemented in accordance with this plan the proposal is concluded to be acceptable in this regard. A condition to ensure this is the case is therefore recommended.

It is therefore considered that proposed development will accord with policy LP24 of the Kirklees Local Plan, the aforementioned parts of the Housebuilders' Design Guide SPD, and policies 1 & 2 of the Holme Valley Neighbourhood Development Plan and guidance contained within the NPPF.

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 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 users.

Policy 2 of the HVNDP also states that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers.

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.

There are no other dwellings nearby that are in a position to be affected by the development.

The proposed dwelling would allow a good outlook and receipt of natural light to its occupants, the landscaping of the site would ensure that a generous amount of outdoor amenity space would be provided, and floorspace would be comfortably in excess of that required under the Nationally Described Space Standards for a four-bedroom house.

In conclusion, it is considered that the proposals are acceptable with regard to impacts on residential amenity, in accordance 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 and policy 2 of the HVNDP.

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

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.

Policy 11 of the HVNDP states that new development should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (parking) and the Council’s latest guidance on highways design.

Principle 12 of the Housebuilders Design Guide 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 Housebuilders Design Guide SPD also 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.

In terms of parking provision, the Kirklees Highways Design Guide SPD outlines that 4+ bedroomed dwellings should provide at least 3 off-street parking spaces. In this case there is considered to be adequate space for at least 3 vehicles on the proposed driveway and integral garage within the basement. The proposed dwelling will utilise existing entrances to both the front and rear of the site, whilst also removing the existing access road in the middle of the site.

Bin storage is proposed to the front of the site adjacent to the entrance gate to the north. Given existing waste storage arrangements would be in place in any case it is not considered necessary to require a scheme of waste storage / collection arrangements to be submitted / approved in writing by the LPA in this case.

The approved vehicle parking areas would 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 will be conditioned.

For the aforementioned reasons, subject to inclusion of an appropriately worded condition, it is concluded that the scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, Principles 12 and 19 of the Housebuilders Design Guide SPD, Policy 11 of the HVNDP and Chapter 9 contained within the National Planning Policy Framework.

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.

In this case, it is considered that the resultant residential development would have an acceptable impact on Climate Change, given the requirements in relation to building regulations as well as materials being sourced locally. 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.

A BNG assessment has been provided and reviewed by the Ecology officer. The site will attain a net gain of 0.76 biodiversity units (37.42% net gain), due to trees, grassland, and a vegetated garden being created. As such the report and metric is considered acceptable by Ecology .

The LPA consider it necessary to ensure an informative is in place upon any grant of permission which sets out the requirements of Biodiversity Net Gain legislation. Under the legislation, a condition is in place by law. The biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

As such, it is not considered necessary for any further condition to be in place upon any grant of permission given the statutory requirements in relation to biodiversity and the fact that the provision of the measures set out in the submitted ecological assessment would meet the requirements of the aforementioned policy.

Therefore, subject to inclusion of the recommended informative note, the proposal is considered to be acceptable in this regard.

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

The submitted PEA makes recommendations for amphibians, birds, invertebrates, and reptiles.

As the report makes recommendations for reptiles and amphibians, KC Ecology consider it necessary to condition a Precautionary Working Method Statement (PWMS). This is to ensure clearance of the site is completed with care.

The survey submitted states that badgers were obscured 30m from the site. As such a condition will be imposed to ensure a survey is undertaken within the application site and a 30m buffer, to search for any new badger setts and confirm that any setts present remain inactive. If any badger activity is detected during this survey, a suitable course of action shall be submitted to the Local Planning Authority to ensure the protection of badgers.

The bat survey submitted also confirmed that there are roosting bats the buildings and are categorised as summer day roosts. As such, a construction

environmental management plan will be conditioned to be submitted to ensure biodiversity is protected during the construction phase.

Given the above, an informative will be imposed to ensure that if any evidence of bats, nesting birds, or other protected species is found during the course of works, all activity must cease immediately, and advice should be sought from a suitably qualified ecologist.

To protect existing habitats surrounding the site, an artificial lighting strategy condition will be imposed also if the applicant decides to install any external lighting.

To ensure the site does benefit from biodiversity enhancements, a Biodiversity Enhancement Plan Survey will be conditioned.

The submitted information is therefore considered acceptable in terms of ecology and would comply with the aforementioned policies / legislation.

6. Land quality / stability

Policy LP53 of the Kirklees Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

Part of the wider site lies within a High Risk Coal Referral Area, where instability from historic coal mining is considered significant; accordingly, the Coal Authority has been consulted. However, the specific area where development is proposed is located outside the defined High Risk Area. The Coal Authority has therefore confirmed that a Coal Mining Risk Assessment is not required in this instance and raises no objection to the proposed development.

Notwithstanding this, the applicant has submitted a Coal Mining Risk Assessment (January 2022, prepared by Chevin Geoenvirom Consultants). The report notes that before any ground improvement measures, such as grouting, can be discounted, further interpretation of any mine voids or areas of broken ground is required, including rotary drilling. It recommends that a minimum of three rotary open-hole boreholes be undertaken near the proposed building to investigate the potential presence of coal seams or historic workings.

However, as the development lies outside the High Risk Area and the site is not identified as potentially contaminated, it is not considered necessary to require an intrusive site investigation to be carried out and instead to impose an a condition requiring the applicant to notify the Local Planning Authority of any unexpected land contamination encountered, and an informative to notify the Coal Authority if any coal mining features are encountered.

The proposal would see earthworks undertaken to create subterranean elements to the dwelling. However, given the distance from nearby dwellings / highways / public rights of way it is considered such works are unlikely to have a detrimental impact in terms of land stability / require further investigation as part of this application given the distance they will be sited from adopted highways and other buildings. It is the applicants responsibility to ensure the development is acceptable in this regard and an informative note drawing their attention to this would be included.

On this basis, the proposal is considered to be acceptable with respect to land stability.

7. Public Right of Way

It is also important to note that there are a number of Public Rights of Way within the vicinity of the site, including HOL/36/20 adjacent to the north boundary of the site, HOL/43/30 to the south and HOL/45/50 to the east.

The proposed development will not interfere or impact the PROW's and as such there are no concerns in this regard.

8. Trees

Policy LP33 of the Kirklees Local Plan highlights that Local Planning Authorities should not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity. This Policy sets also out that where trees loss is deemed to be accepted, developments will be required to submit a detailed mitigation scheme.

Policy 2 of the Holme Valley Neighbourhood Development Plan outlines that any significant trees on the site should be retained and incorporated in the new design.

KC Trees have been formally consulted as part of this application, raising no objection to the proposal.

As stated in the submitted Arboricultural Impact Assessment, a total number of 6 trees are to be removed, 5 of the tree's removals are to facilitate the proposed scheme, and 1 tree removal is due to its current condition.

KC Trees consider the removal of trees to be negligible, with all works carried out within RPA's to be acceptable as they will be combated with either no dig techniques and or geo cell confinement systems. A condition will be imposed to ensure protective fencing is erected in accordance with British Standard BS 5837 , to ensure there will no harm to existing trees to be retained.

The proposed development is therefore considered to accord with policy LP33 of the Kirklees Local Plan and Policy 2 of the Holme Valley Neighbourhood Development Plan.

9. Representations

No representations have been submitted.

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

Recommendation

Approve

Decision Authorisation: Delegated Powers

Application Number: 2025/92739

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 LP7, LP21, LP22, LP24, LP28, LP30 and LP33 of the Kirklees Local Plan, the adopted Housebuilders SPD and Chapters 2, 5, 8, 9, 11, 12, 14 and 15 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 in the construction of the development hereby approved 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.

Reason: In the interests of visual amenity and to protect the green belt setting to accord with Policy LP 24 of the Kirklees Local Plan, The Kirklees

Housebuilders Design Guide SPD and guidance contained within Chapter 12 and Chapter 16 of the National Planning Policy Framework.

4. The dwelling hereby approved shall not be occupied until all areas indicated to be private drives on the submitted site plan ref 90-002revP02 received 30th September 2025, have been 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. 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, and E of Part 1 of Schedule 2 to that Order shall be carried out within the site without the prior written consent of the Local Planning Authority.

Reason: To ensure that no large, overly dominant extensions or outbuildings are provided which would have an adverse harmful impact on the character and appearance of the locality and the development does not have a substantial impact upon openness, this is to accord with Policies LP24 of the Kirklees Local Plan, Chapters 12 and 13 of the National Planning Policy Framework and Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan.

6. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works 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 in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person 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 Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a

Verification Report in respect of those works has been approved in writing by the Local Planning Authority.

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

7. No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Summary of potentially damaging activities
- b) Identification of "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

The CEMP must also include the following specific plans / documents:

- Pollution Prevention Plan for the watercourse (using good practice guidance such as CIRIA C532)

Reason: In the interests of biodiversity and in accordance with LP30 and NPPF15.

8. Prior to development commencing, protective fencing in accordance with British Standard BS 5837 shall be erected around all trees to be retained on the site.

Reason: In order to protect visual amenity and the long term viability of the trees and to accord with policy LP30 of the Kirklees Local Plan.

9. 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.

10. Prior to the commencement of development, a detailed Precautionary Working Method Statement (PWMS) in respect of reptiles and amphibians shall be submitted to and approved by the local planning authority. In order to minimise risk and avoid harm to reptiles and amphibians, the PWMS shall include (but not be limited to) toolbox talks provided by a suitably qualified ecologist, attendance of an ECoW (Ecological Clerk of Works) as required, and careful hand search around potential reptiles and amphibians features. In the event of encountering a reptiles or amphibians, all work must cease until the ecological clerk of works and Natural England are contacted for advice on the best way to proceed lawfully. All contractors working on site should be made aware of this advice and provided with the contact details of the ecological clerk of works.

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

11. A Biodiversity Enhancement Management Plan must be provided to the LPA prior to the commencement of works on-site. It must include the following items that will be installed post development:

- 2no bat boxes
- 2no bird boxes
- 1no bee box
- 1no log piles for reptiles, and planting areas of native shrubs, to provide sheltering opportunities
- Small holes within fences (and other mechanisms) for hedgehogs' mobility.
- A planting scheme should be implemented within the scheme to create a trees and hedgerows.

Plantings should comprise native species of high biodiversity value

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

12. The development hereby permitted shall not commence, including any demolition, until a survey of the site by an appropriately qualified and experienced ecologist is undertaken within the application site and a 30m buffer, to search for any new badger setts and confirm that any setts present remain inactive. This badger survey must be undertaken immediately prior to the commencement of works, and no more than 3 weeks prior to the commencement of the works. If any badger activity is detected during, and as a result of, this survey a scheme shall be submitted to and approved in writing by the Local Planning Authority before any works commence which details mitigation measures to be undertaken to prevent harm to this species. The development shall be undertaken in accordance with any measures required by this condition and retained thereafter.

Reason: To ensure that the development does not result in any adverse impact upon protected species or biodiversity in accordance with Kirklees Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework.

13. The finished floor and slab levels of the development shall be in accordance with those shown on submitted drawing BF-IVI-XX-ZZ-DR-A-90-008revP01. 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 and the openness of the green belt to accord with Policy LP24 of the Kirklees Local Plan, and policies within Chapter 12 & 13 of the National Planning Policy Framework.

14. The development hereby approved shall not be brought into use until a scheme has been submitted to, and approved in writing by, the Local Planning Authority which details the associated residential curtilage of the dwelling. The submitted scheme shall include details of any associated boundary treatments. The development shall not be brought into use until the approved scheme is implemented. The approved scheme shall thereafter be retained and maintained.

Reason: In the interests of visual amenity and the openness of the green belt to accord with Policy LP24 of the Kirklees Local Plan, and policies within Chapter 12 & 13 of the National Planning Policy Framework.

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

- *Land Contamination Risk Management (LCRM)*
- BS 10175:2011+ A2:2017 *Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020* by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under 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: 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

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

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays. 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: We note that parking is proposed at this development. We would encourage any electric vehicle charging points installed as part of this development to meet the requirements of the *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group. The applicant should note the information in the recommended Electric Vehicle Charging Points Footnote.

The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable

electrical requirements in force at the time of installation.

Approval of EVCPs under the Building Regulations may also be required, and the

applicant should contact their Building Control Provider for further information in

relation to Approved Document S.

NOTE: The applicant is reminded that if any evidence of bats, nesting birds, or other protected species is found during the course of works, all activity must cease immediately, and advice should be sought from a suitably qualified ecologist. It is an offence under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 to disturb or harm protected species or their habitats. Failure to comply with the legislation could result in prosecution.

NOTE: Badger is protected under the Protection of Badgers Act 1992. Under this legislation it is an offence to kill or injure a badger; to damage, destroy or block access to a badger sett; or to disturb badger in its sett. The Act also states the conditions for the Protection of Badgers licence requirements.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway and the changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with

the highway without such permission is an offence which could lead to prosecution.

NOTE: It is a requirement of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 that a Biodiversity Net Gain Plan is submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	90-001	P01	30/09/2025
Proposed Site Plan	90-002	P02	30/09/2025
Proposed Floor Plans	20-001	P03	30/09/2025
Proposed GA Elevations	20-101	P02	30/09/2025
Existing vs Proposed Elevations	90-008	P01	30/09/2025
Design & Access Statement			30/09/2025
Planning Statement			30/09/2025
Climate Change Statement			03/10/2025
Coal Mining Risk Assessment			30/09/2025
Biodiversity Net Gain Assessment			06/10/2025
Preliminary Ecological Appraisal			30/09/2025
Bat Survey Report			30/09/2025
Arboricultural Impact Assesment	BA25105AIA		26/11/2025
Pre-Development BS5837 Tree Survey	BA25105TS		02/12/2025
Arboricultural Impact Assessment	BA25105		02/12/2025
Tree Protection Plan	BA25105TPP		02/12/2025
Tree Survey & Constraints Plan	BA25105TS		02/12/2025

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 officer requested an Arboricultural Impact Assessment (AIA) & an Arboricultural Method Statement (AMS) to be submitted to assess the impact on trees within the site and to ensure adequate protection measures would be in place. The agent submitted

an AIA and AMS which has been reviewed by KC Trees who consider the documents acceptable and have raised no objections to the proposed scheme

Report Dated: 04/12/2025