



Town and Country Planning Act 1990

**Town and Country Planning (Development Management Procedure) (England) Order
2015**

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2025/62/92837/W

To: James Whipp
ADP Architecture & Design
The Old Police Station
16, Bridge Lane
Holmfirth
HD9 7AN

For: M CLAYTON

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby permits:-

CHANGE OF USE AND ALTERATIONS TO BARN TO FORM 1 DWELLING,
WIDENING OF ACCESS ROUTE AND ASSOCIATED WORKS (WITHIN THE
CURTILAGE OF A LISTED BUILDING)

At: SANDS FARM, MOOR LANE, NETHERTHONG, HOLMFIRTH, HD9 3UP

**In accordance with the plan(s) and applications submitted to the Council on
14-Oct-2025, subject to the condition(s) specified hereunder:-**

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 external works to the external walls of the barn shall be carried out in natural stone and vertical cedar boarding and the roof of the barn shall be box profiled metal cladding of a dark grey colour finish. 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. Notwithstanding the details shown on the approved plans, the development shall not be brought into use until a scheme detailing the boundary treatment of the site has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include the location, materials of construction, height and design of all boundaries including details of any to be retained and / or altered. The development shall not be brought into use until the boundary treatment has been completed in accordance with the approved details. The scheme shall thereafter be retained.

Reason: In the interests of ecology and biodiversity, visual amenity and openness of the green belt to accord with Policies LP24 & LP30 of the Kirklees Local Plan, principles of the Council's adopted Housebuilders Design Guide SPD and Policies within Chapters 12 & 13 of the National Planning Policy Framework.

7. 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, setting of a listed building, residential amenity and biodiversity and in accordance with Policies LP24, LP30 & LP35 of the Kirklees Local Plan and policies within Chapters 12, 13, 15 and 16 of the National Planning Policy Framework.

8. The new dwelling shall not be first occupied until a scheme of measures relating to the provision of habitat for wildlife and biodiversity enhancement has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include details relating to: (i) Provision of bat tubes, (ii) provision of bird boxes, (iii) provision of hedgehog holes within boundaries, and (iv) planting of native species across the site. The development shall not be brought into use until the approved scheme has been implemented. The scheme as implemented shall thereafter be retained.

Reason: In the interests of providing biodiversity net gain following the development to accord with Policies LP24(h) and LP30 of the Kirklees Local Plan, Principle 9 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 15 of the National Planning Policy Framework.

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

NOTE Public footpath HOL/57/50 is the access to the site and must not be interfered with or obstructed, prior to, during or after development works. The Council's public rights of way unit may be contacted by telephone 01484 221000 and ask for Sharon Huddleston. The public rights of way team are based at Civic Centre 1, Huddersfield HD1 2NF and the email address is publicrightsofway@kirklees.gov.uk

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.

NOTE: This Planning Consent should be read in conjunction with Listed Building Consent **2025/92838**.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
GA as existing and location Plan	17004D-01-P01	-	10/10/2025
Proposed plans	17004D-02-P01	-	10/10/2025
Climate Change Statement	-	-	10/10/2025
Design and Access and Heritage Statement	-	-	14/10/2025
Condition Survey - Sands Farm	-	-	14/10/2025
Application form	-	-	14/10/2025

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Tel No: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording “submitted to and approved in writing by the Local Planning Authority”.
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA - STANDING ADVICE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](http://MiningRemediationAuthority-GOV.UK)

Where the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within:
 - i) 28 days of the date of service of the enforcement notice, or
 - ii) within the specified period, starting on the date of this notice,whichever period expires earlier.
- If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.
- The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>.
- You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 16-Dec-2025

Signed:



David Shepherd
Executive Director for Place

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search planning applications and decisions' and by searching for application number 2025/62/92837/W.

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

Write to: Kirklees Council
 Planning and Development Service
 PO Box 1720
 Huddersfield
 HD1 9EL
