

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:	2025/62/93215/W
Site Address:	Land off, Slaithwaite Gate, Scapegoat Hill, Huddersfield, HD7 4NS
Description:	Change of use from storage to holiday let including single storey extension to the northern elevation and associated alterations
Recommending Officer:	Joanna Rednall

DECISION -

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: 25th February 2026

The Site

The site comprises a timber-clad building with a pitched roof finished in profiled steel sheeting, located to the west of No. 12 Slaithwaite Gate. Access to the site is taken from the north-east.

The site is situated within the Green Belt on the Kirklees Local Plan, with open fields to the West and South, along with existing residential properties to the east, south-east and north-west. The changes in topography within the area, also means that the site is within an elevated position in relation to the highway.

The application site is not located within a Conservation Area or in close proximity to any Listed Buildings.

The Proposal

The applicant is seeking planning permission for change of use from storage to holiday let including single storey extension to the northern elevation and associated alterations.

A lean-to extension is proposed to the rear elevation, projecting 1.5m and measuring 2.8m in width. It would have an eaves height of 2.2m and a maximum height of 2.7m to the ridge.

The window openings would be altered and enlarged to the front elevation, three new openings are proposed to the rear elevation, patio doors are proposed to the side/south facing elevation, and two windows are proposed to the north facing side elevation.

Internally, the building would provide two bedrooms, each with an en-suite, together with an open-plan kitchen, living and dining area.

History of Negotiations

Additional information was sought in relation to sight lines, turning and parking. Amended plans were submitted 17 February and the application has been progressed to determination on the basis of these.

Planning History

Relevant planning history for this site is summarised as follows:-

94/94044: Erection of detached dwelling – Refused.

2004/91696: Demolition of existing building and outline application for erection of 1 dwelling – Refused

2022/92145: Demolition of existing storage building and erection of new storage building – Refused

2023/90497: Demolition of existing storage building and erection of new storage building – Refused and appeal dismissed. The conclusion of the appeal included the conclusion by the Inspectorate that *'I have found that the proposal would not be inappropriate development in the Green Belt. However, I have found that there would be unacceptable harm caused to highway safety. This is a matter of overriding concern and to this extent there would be conflict with the development plan when considered as a whole'*

2024/90936: Demolition of existing storage building and erection of new storage building – Conditional full permission

The planning history is of relevance in particular in relation to application 2024/90936 which granted permission for the building upon the site. This permission was granted following application 2023/90497 and the conclusions of the subsequent appeal (and sufficiently addressing highway safety matters.

Application 2024/90936 was granted on 19th November 2024 and is an extant permission to which weight must be afforded in the consideration of this application and where relevant is referenced to in the 'Assessment' section of this report.

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: 12th February 2026.

1 letter (which includes hand-written letters, e-mails and on-line representations) of representation have been received. These are summarised as follows:-

Letters of objection

- This application comes after years of trying previously get permission for a business premise on the site, when many local residents warned that this seemed like a first step to establish a new footprint when it was known that the land owners had a future hope to live there. Now, without ever actually building the storage facility and using it as such, they want to change it to a holiday let, thus establishing that the land can be used for a form of housing.

Officer response: Noted. The impact upon residential amenity/ use of the building as a dwelling and holiday let is discussed in more detail within the residential amenity section of this report.

- A lot of work has been undertaken already on the site prior to any permission being given.

Officer response: *Noted. This application is assessed on the basis of the merits of the scheme as proposed. An extant permission is in place which permits a number of works at the site.*

- This development appears to afford the users a direct line of sight into the front bedroom and to the bed of 8 Slaithwaite Gate, affecting privacy which cannot be acceptable. It will mean multiple additional vehicular movements on and off of the site.

Officer response: *Noted. Residential amenity is discussed in more detail within the residential amenity section of this report. The Council's Highways team have been consulted on the proposals, their comments can be found under the consultation responses and highway safety sections of this report.*

Parish/ Town Council Comments

N/A.

Consultations

KC Highways: No objection following submission of additional information.

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 application site is located within the Green Belt on the Kirklees Local Plan.

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
- LP10 Supporting the rural economy
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity

- LP52 Protection and Improvement of Environmental Quality
- LP53 Contaminated and unstable land
- 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.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16th 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.

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 4 – Decision-making
- Chapter 6 – Building a strong, competitive economy
- Chapter 11 – Making effective use of land
- 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

Supplementary Planning Guidance

Kirklees Highway Design Guide (November 2019)

Legislation

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment

1 – Principle of development:

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. 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.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

Paragraph 88 of the NPPF sets out that development policies and decisions should enable sustainable rural tourism which respect the character of the countryside. Of relevance to the consideration of the principle of development is policy LP10 of the Kirklees Local Plan which sets out that the economic performance of the rural economy will be improved by a number of criteria (parts a – f), with the relevant part in this case being part d which sets out it shall be improved by ‘supporting and increasing tourism related development including encouraging new facilities and accommodation for tourists’. Part 3 of policy LP10 sets out that development proposals will not be supported where they would lead to unsustainable development contrary to other policies in the local plan.

Land allocation – Green Belt

The site is designated Green Belt on the Kirklees Local Plan. The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the exceptions set out in paragraph 154 and 155.

Within paragraph 154 the exception listed at part c) is for 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. In addition paragraph 155 sets out that other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it may be an acceptable exception and that includes the re-use of buildings provided that the buildings are of permanent and substantial construction.

Policy LP57 of the Kirklees Local Plan sets out that the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance including the design and materials as well as having regard to previous extensions and the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas.

Policy LP60 sets out that conversion and re use of buildings will normally be acceptable where the building is of permanent / substantial construction, does not introduce incongruous domestic or urban characteristics into the landscape, including through the treatment of outside areas and the design and materials of an acceptable quality appropriate to their setting.

The proposal is for the change of use and alterations of a building from storage to holiday let, and involves a small lean-to extension to the side of the building. The extension would serve a porch. The building benefits from a recently granted, extant, permission and the majority of the works to serve the proposal are able to be undertaken by virtue of the extant consent.

It is considered that its modest size and simple design of the porch would remain an addition that appears subservient to the host property and would not appear disproportionate or compete with the original building.

In this context, officers consider the proposal to fall within the aforementioned exceptions of paragraph 154 of the NPPF. The proposal also aligns with Policies LP57 and LP60 of the Local Plan, as the host building would continue to be the most prominent element in terms of scale, massing, and overall appearance and the proposed use would not be significantly greater in terms of impact upon openness than that permitted by the extant consent.

The extension would not result in a significant loss of openness on the site. It would not materially change the treatment of outdoor areas, and the existing hardstanding, previously approved under application ref: 2024/90936, would continue to provide parking for the property, including for the proposed holiday let use.

In terms of design and materials, the porch would be finished in timber boarding with a profiled steel sheet roof to match the host building. This ensures that the extension integrates visually with the existing property and is consistent with Policy LP57d.

Overall, the additional built form is a small, proportionate addition that sits comfortably with the host dwelling and its surroundings and would not detract from its Green Belt setting or result in a disproportionate addition over and above the existing structure.

Principle of Development - Conclusion

The development would see a small scale tourist offer which would be in conformance with policy LP10. The impact of the development with regard to its allocation within the Green Belt is concluded to be acceptable and therefore in this case, the principle of development is acceptable and shall be assessed against the applicable material planning considerations within the following report.

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.

The application is for change of use from storage to holiday let with erection of extension and associated alterations. The proposed external changes to the building are relatively limited in nature. These include the alteration of openings permitted by the extant consent and the addition of a lean-to extension. The extension is modest in scale and remains proportionate to the host building, with a lean-to roof that ties in with the existing eaves. The materials are proposed to match the host building and can be secured by condition, ensuring the development would not result in any adverse visual impact.

In respect of the fenestration, the enlarged openings would introduce a more domestic appearance. However, given the building's simple and functional form, these changes would not appear unduly prominent or out of character. The extension would clearly remain subordinate to the host building in terms of its scale and design. Overall, the proposal is considered acceptable in design and visual terms.

Taking all of the above into consideration, the proposals are considered to be of a scale, size and design which is appropriate for the proposed end use of the building and is deemed to be sympathetic to the semi-rural context of the surrounding area. The proposals therefore accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP52 seeks to ensure emissions are acceptable, including noise. 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.

The proposal seeks to use the building on a short-term let basis. The level of accommodation provided is limited, particularly when considering access and amenity space and the space provided internally. As the accommodation under assessment is being sought for use as a holiday let it is considered appropriate to restrict the use of the building to a maximum stay of 28 days. This limitation ensures the property is used for short-term lets that contribute to the local tourist offering, while also protecting the amenity of occupants of the building.

Regarding the size and scale of the building, including the proposed extension, it is not considered to cause an oppressive or overbearing impact on neighbouring properties. The proposal maintains minimum separation distances of 28 metres to 12 Slaithwaite Gate, 36 metres to 10 Slaithwaite Gate, and 35 metres to 8 Slaithwaite Gate. These distances are considered to provide suitable separation between habitable room windows. Accordingly, the development is not considered to result in overlooking or a loss of privacy to neighbouring occupiers to such a degree that refusal could be substantiated on that basis.

The use of the site for storage / distribution is able to be undertaken in any event. Whilst hours of use restrictions are in place for the extant consent, the nature of the proposed use by comparison to that of storage and distribution is considered to have a lesser impact in terms of noise and is considered to be more compatible with the existing residential uses neighbouring the site. Therefore it is concluded that in terms of noise the proposal would not have a significant impact for which mitigation is required in this case. This conclusion is drawn having cognisance of the scale of the proposal being for a building which could not have a significant occupancy level due to the buildings size / constraints of the site.

It is therefore considered that in terms of residential amenity, the proposed would comply with the aforementioned policies and is acceptable in this regard.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application.

An informal consultation was undertaken with KC Highways Development Management during the course of this application. Officers raised no objection to the scheme, taking into account the extant permission (ref: 2024/90936). They concluded that the level of traffic entering and leaving the site is not expected to increase significantly or change materially as a result of the proposed change of use.

Officers requested additional information regarding sight lines, turning areas, and parking provision. The submitted details demonstrate two parking spaces, adequate internal turning space, and a visibility splay measuring 2.4 metres by 43 metres, extending 500mm into the carriageway. These arrangements are considered acceptable, subject to conditions requiring the visibility splay to be maintained clear of obstructions for the lifetime of the development.

KC Highway Development management have also recommended a condition in relation to the surfacing and drainage of the approved vehicle parking area as well as an informative note relating to changes to the access.

It is therefore considered that in terms of access and highway safety / parking, subject to the aforementioned conditions / informative notes, the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan and chapter 9 of the National Planning Policy Framework.

Given the access arrangements relate to the ongoing operation of the site, it is considered appropriate the conditions of approval of the extant consent relating to access and highway safety are included upon any grant of permission in this case.

5 – Other matters:

Ecology

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.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. The site is not within a bat alert layer on the Council's GIS system and there are no records of bat roosting at the site.

A 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 for minor sites granted pursuant to an application submitted after 02 April 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicant has stated the application falls under the 'Di-Minimus' exemption category within the application forms. The majority of development being undertaken at the site is that for which the extant permission relates and therefore, in light of the submitted detail, it is considered the application is exempt from a BNG uplift.

Climate Change

Local Plan Policy LP26 refers to renewable and low carbon Energy. 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. It is noted that the extant permission requires provision of electric vehicle charging infrastructure and this proposal relates to the re use of the site / building. As such it is considered the proposal is acceptable having regard to the aforementioned policies and considerations.

Drainage and Land Quality

It is noted that the extant consent undertook an assessment of drainage / land quality considerations. Given the works undertaken at site relate to those permitted by the extant consent it is not considered necessary to repeat the conditions of approval relating to drainage / land quality upon any grant of permission in this case.

6 – Representations:

The third party representation received in objection to the proposal has been considered and is summarised and addressed earlier within this report.

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: 2025/93215

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, to preserve the openness of the Green Belt and to accord with Policies LP1, LP2, LP10, LP21, LP22, LP24, LP30, LP52, LP53, LP57 and LP60 of the Kirklees Local Plan and Chapters 2, 4, 6, 9, 11, 12, 13, 14 and 15 of the National Planning Policy Framework.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02, LP24 & LP57 of the Kirklees Local Plan and policies within Chapter 12 & 13 of the National Planning Policy Framework.

4. The development hereby permitted shall be occupied by, or let to, the same person for a continuous period of time not exceeding 28 days with a requirement to have a minimum of 14 days no return between bookings for the same person and shall not be occupied by any person(s) as their sole or main place of residence

Reason: For the avoidance of doubt as to what is being permitted, in the interests of the amenity of the occupiers of the accommodation to accord with Policies LP22 and LP24 of the Kirklees Local Plan and Policies within Chapter 12 of the National Planning Policy Framework.

5. Sight lines (2.4m x 43.0m visibility splays along Slaithwaite Gate) as indicated upon approved drawing no. PRGN-2301-HGN-DR-CH-0001 'Preliminary Access Proposal' shall be retained, unobstructed, for the lifetime of the development.

Reason: In the interests of access and highway safety to accord with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

6. Prior to the development being brought into use, the approved vehicle parking areas shall 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; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a

satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan and the policies within Chapter 9 of the National Planning Policy Framework

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that order) any gates or barriers for or over a vehicular access or egress shall be set back 5m from the edge of the adopted highway and shall be hung as to only open inwards. So long as such gates or barriers are in position, they shall be retained to only open inwards.

Reason: In the interests of highway safety and to avoid the need for vehicles to wait in the highway. This is to accord with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

NOTE: 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Planning Drawing	21 J 51 P 01 E	-	21/11/2025
Preliminary Access Proposal	PRGN-2301-HGN-DR-CH-0001	-	17/02/2026
Planning Supporting Statement	-	-	15/12/2025
Application form	-	-	21/11/2025
Climate change statement	-	-	01/12/2025

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. Additional information was sought in relation to sight lines, turning and parking. Amended plans were submitted 17 February

and the application has been progressed to determination on the basis of these.

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