

# **KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE**

## **DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended) – SECTION 70**

### **DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS**

|                       |                                                                                                                                                                                                    |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reference No:         | <b>2025/62/93323/E</b>                                                                                                                                                                             |
| Site Address:         | Lower Carr Farm, Carr Lane, Shepley, Huddersfield, HD8 8BR                                                                                                                                         |
| Description:          | Demolition of attached outbuildings and erection of two-storey extension to create dwelling forming annex accommodation associated with Lower Carr Farm, Carr Lane, Shepley, Huddersfield, HD8 8BR |
| Recommending Officer: | Nicole Helliwell                                                                                                                                                                                   |

#### **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.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date: 12 March 2026**

## **Officer Report**

**Reference No.** 2025/62/93323/E

**Site Address:** Lower Carr Farm, Carr Lane, Shepley, Huddersfield, HD8 8BR

**Proposal:** Demolition of attached outbuildings and erection of two-storey extension to create dwelling forming annex accommodation associated with Lower Carr Farm, Carr Lane, Shepley, Huddersfield, HD8 8BR

## **Site Description**

The application relates to Lower Carr Farm, a two-storey detached property located on Green Belt Land in Shepley, Huddersfield. The dwelling is faced in natural stone and incorporates a dual-pitched roof finished in stone slate. The neighbouring properties are of residential use and comprise stone built dwellings of varying sizes and architectural styles. The site is not within a conservation area, nor are there any listed buildings within close proximity. However, it is noted that Public Right of Way (KIR/144/10) is located within the application site.

## **Description of Proposal**

The application seeks planning permission for the erection of a two storey extension to form annex accommodation associated with Lower Carr Farm. The existing attached outbuildings will be demolished to allow for the proposed works. The proposed two storey extension would project 9m from the side elevation of the host dwelling. The enlargement would have an overall height of approx. 6.7m and an eaves height of approx. 4.6m. The extension would be faced in natural stone for the external walls and would incorporate a dual-pitched roof finished in stone slate.

## **History of Negotiations/Amendments Received**

Additional information was sought during the course of the application. A request was made for a Preliminary Ecological Appraisal and a Preliminary Bat Roost Assessment to be submitted. This document was reviewed by KC Ecology and considered acceptable.

## **Relevant Planning History**

- **2021/93865:** Erection of two storey rear extension. [Planning application details | Kirklees Council](#) - Conditional Full Permission
- **2011/90568:** Erection of sun room extension and alterations. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **2008/90843:** Formation of equestrian menage. [Planning application details | Kirklees Council](#) - Conditional Full Permission
- **87/04318:** Extension to form swimming pool, sauna and plant room. [Planning application details | Kirklees Council](#) – Granted Conditionally

## **Representations**

The application was publicised by site notice and press advertisement, which expired on 6<sup>th</sup> February 2026. As a result of the above publicity, no representations have been received.

### **Parish/Town Council Comments**

Kirkburton Parish Council – No comment

### **Consultation Responses**

The following is a brief summary of Consultee advice (more details are contained in the 'Assessment' section of the report, where appropriate):

KC Ecology – No objection subject to the recommended condition

### **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).

The site is located within the designated Green Belt on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

### **Kirklees Local Plan Policies**

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 3** - Location of New Development
- **LP 21** - Highway Safety and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity & Geodiversity
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 57** - Extension, Alterations or Replacement within Green Belt

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), 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 this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

**In this case, the following SPDs are applicable: -**

- House Extensions and Alterations SPD (adopted 29th June 2021)
- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

### **National Policies and Guidance**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 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. Most specifically in this instance, the below chapters are of most relevance:

- **Chapter 2** - Achieving Sustainable Development
- **Chapter 4** - Decision-Making
- **Chapter 13** - Protecting Green Belt Land
- **Chapter 12** - Achieving Well-Designed Places
- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment

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

### **Assessment**

#### **1. Principle of Development**

##### **Impact on the Green Belt**

The application site is located within the designated Green Belt on the Kirklees Local Plan (KLP). As such, the proposal will be assessed having regard to KLP Policy LP57 and Chapter 13 of the NPPF. The National Planning Policy Framework and the Kirklees Local Plan both support limited extensions to buildings within the Green Belt. For extensions within the Green Belt to be acceptable, it is essential that they should not impact on the open character of the Green Belt nor be discordant in themselves or in relation to the host property.

Paragraph 2.12 of the House Extensions and Alterations SPD states that when considering any application, substantial weight will be given to any harm

to the Green Belt and applications may be refused if it is considered that the development would result in the encroachment of urban character into a countryside setting.

Paragraphs 153 and 154 of the National Planning Policy Framework states that certain forms of development are exceptions to 'inappropriate development'. One of these is 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

The host property is a residential dwelling located off Carr Lane. In respect of the openness of the Green Belt, openness has been established to have both a visual and spatial aspect. The proposal would introduce additional built development within the Green Belt which would have some effect on the character and openness. The submitted plans confirm that the property currently benefits from a single storey extension. It is noted that planning permission was granted under application reference no. 2021/93865 for a two storey rear extension and under application reference no. 2011/90568 for a sun room extension, however, these extensions do not appear to have been implemented.

It is important to begin by understanding what constitutes the "original building". The glossary within the National Planning Policy Framework defines "original building" as: "A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

It is noted that the volume of the original house and barn measures 1085m<sup>3</sup>. The proposed two-storey extension (366m<sup>3</sup>) cumulatively with the existing single storey extension (80m<sup>3</sup>) and the existing garage (86m<sup>3</sup>) would equate to a percentage increase of approximately 49% over that of the original house. Whilst it is acknowledged that this is a relatively significant increase, it is also noted that there is no formal definition of disproportionate additions and each application must be assessed on its own merits. Furthermore, previous case law has demonstrated that the assessment of disproportionate additions cannot be made purely in a mathematical way by reference to size when measured in floor space, volume or mass, but that appearance and visual impact are an important part of a proper evaluation. In this instance, weight is given to the effect of the proposal on the openness of the Green Belt and on the character and appearance of the area. The proposed development would have an acceptable scale relative to the original dwellinghouse and given the size of the host property and its associated curtilage, it is considered that the proposal would not have any detrimental impact on the character or openness of the green belt. On this basis, it is considered that the proposed development would preserve openness and would constitute appropriate

development in the Green Belt in accordance with Policy LP57 of the Kirklees Local Plan and the guidance contained within Chapter 13 of the NPPF.

In respect of the above, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety. These issues along with other policy considerations will be addressed below.

### **1. Impact on Visual Amenity**

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the SPD goes on to state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

Part of Policy LP57 of the Kirklees Local Plan stipulates that *‘the design and materials used (for extensions to buildings) in the Green Belt should be sensitive to the character of the Green Belt setting.’*

#### Two Storey Extension

The proposed two storey extension would project 9m from the side elevation of the host dwelling. The enlargement would be faced in natural stone for the external walls and would incorporate a dual-pitched roof finished in stone slate to match the appearance of the original build. Whilst the extension would have a large footprint, it would feature a lower ridge line which would enhance its subservience to the original build. Furthermore, the extension would have limited visibility from public vantage points due to its location north of the dwelling. Additionally, with regard to its scale, it is considered that the property and its curtilage would support the extension without it appearing incongruous or amounting to overdevelopment. Therefore, it is considered that the proposed development would respect the character and appearance of the host property and wider street scene.

#### Summary

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 and LP57 of the Kirklees Local, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

## **2. Impact on Residential Amenity**

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

It is noted that the host dwelling is situated in an isolated location with the nearest residential property, Low Carr Farm located approximately 223m away from the proposed development. Given that the separation distance retained would be substantial, it is considered that there would be no significant harm to the neighbour's residential amenity with regards to overbearing, overshadowing or overlooking impact.

Having considered the above factors, the development proposed would have an acceptable impact upon the residential amenity of the neighbouring occupants and would comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions and Alterations SPD and Paragraph 135(f) of the National Planning Policy Framework.

## **3. Impact on Highway Safety**

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal would introduce annex accommodation to the property, which would include two bedrooms. However, the existing access and internal vehicle turning arrangements are unchanged by these proposals and ample space would be retained for off-street parking. Therefore, the proposed development would be acceptable in terms of highway safety and would accord with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

## **4. Other Matters**

### 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, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures.

#### Biodiversity

The development is subject to the de minimis exemption and as such, would be exempt from providing Biodiversity Net Gain. At this stage, Officers are only able to assess this on the basis of submitted information. Should the proposal be considered not exempt by reason of not being this or other relevant categories for the scale of the development then an appropriate condition, supported by a BNG metric submitted for the approval of the LPA, would be required to ensure on-site BNGs would last for at least 30 years to meet the requirements of this legislation.

#### Ecology

A Preliminary Bat Roost Assessment report authored by Knight Sky Ecology (dated February 2026) has been provided. The building was observed to have low suitability for roosting bats; it is accepted due to the thorough investigation of the assessment that additional surveys are not required. However, KC Ecology have confirmed that a Precautionary Working Method Statement will need to be conditioned.

#### Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors. It is therefore necessary for a footnote to be imposed restricting the hours of operation for the site.

#### Public Right of Way

Public Right of Way KIR/144/10 is located within the application site. However, given the distance retained between the proposed development and the footpath, it is considered that the proposal would not have a significant impact on the amenity of the footpath or its users.

### Use of the Annex

A condition will be imposed restricting the annex accommodation from being sold, leased, rented or used as an independent dwelling unit or let out as holiday accommodation in accordance with the aims of Policies LP21, LP22 and LP24 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

There are no other matters considered relevant to the determination of this application.

### **5. Representations**

No representations were received following the statutory publicity.

### **6. Conclusion**

This application for the erection of a two-storey extension to create dwelling forming annex accommodation associated with Lower Carr Farm has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered acceptable.

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:** 2025/93323**Officer Recommendation:** Approve**Conditions and Reasons**

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.

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP21, LP22, LP24, LP30, LP52 and LP57 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The two storey extension hereby approved shall be constructed from natural stone for the external walls and stone slate for the roof. The materials of construction shall thereafter be retained for the lifetime of the development.

**Reason:** In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapters 12 and 13 of the National Planning Policy Framework.

4. The residential annex accommodation hereby approved shall be used solely for purposes ancillary or incidental to the enjoyment of the existing dwellinghouse known as 'Lower Carr Farm, Carr Lane, Shepley, Huddersfield, HD8 8BR' and shall at no time be sold, rented, or severed to be occupied as a separate independent dwelling unit.

**Reason:** To protect residential amenity and highway safety in accordance with Policies LP21, LP22 and LP24 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework

5. Prior to the commencement of development, a detailed Precautionary Working Method Statement (PWMS) in respect of bats shall be submitted to and approved by the local planning authority. In order to minimise risk and avoid harm to bats, 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 stripping around potential bat roosting features. In the event of encountering a bat, 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:** This pre-commencement condition is necessary in the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

**NOTE:** The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

**NOTE:** Public footpath KIR/144/10 is located within the development 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 on 01484 221000. Public Rights of Way is based at PO Box 1720, Huddersfield HD1 9EL and the email address is [publicrightsofway@kirklees.gov.uk](mailto:publicrightsofway@kirklees.gov.uk)

**NOTE:** Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

**NOTE:** To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

**Plans and specifications schedule:**

| Plan Type                                                           | Reference | Revision | Date Received |
|---------------------------------------------------------------------|-----------|----------|---------------|
| Location Plan                                                       | -         | -        | 09/12/2025    |
| Existing Plans, Elevations & Visuals                                | 01        | -        | 09/12/2025    |
| Proposed Plans, Elevations & Visuals                                | 02        | A        | 26/02/2026    |
| Planning Statement                                                  | -         | -        | 09/12/2025    |
| Technical Note: Preliminary Bat Roost Assessment & Ecology Walkover | -         | -        | 24/02/2026    |
| Climate Change Statement                                            | -         | -        | 09/12/2025    |

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 Planning 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 Case Officer undertook negotiations with the agent to secure additional information to address comments from KC Ecology. The agent has also confirmed their agreement to the pre-commencement condition.

**Report Dated: 10/03/2026**