

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR
DEMOLITION OF BUILDINGS – Town and Country Planning (General
Permitted Development) Order 2015 (amended) – Class B, Part 11 of
Schedule 2.**

Reference No:	2025/N /93328/W
Site Address:	Barn at, Felks Stile Road, Crosland Hill, Huddersfield, HD4 7AD
Description:	Prior notification for demolition of barn
Recommending Officer:	Joanna Rednall

DECISION - DETAILS APPROVED

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.

Kevin Walton

AUTHORISED OFFICER

Date: 03-Mar-2026

Officer Report

**Barn at, Felks Stile Road, Crosland Hill, Huddersfield, HD4 7AD
Prior notification for demolition of barn**

Site Description:

Barn at, Felks Stile Road, Crosland Hill, Huddersfield, HD4 7AD

The application site comprises a two-storey brick barn with a corrugated composite pitched roof, situated on the eastern side of Felks Stile Road.

It lies within an open expanse of land surrounded by agricultural fields and is located within designated Green Belt land.

The application site is not located within a Conservation Area and there are no Listed Buildings within the immediate vicinity of the site.

Description of Proposal:

The application seeks determination for whether prior approval is required for the demolition of the building.

The building is highlighted in red on the submitted Location Plan.

The application is made pursuant to Schedule 2, Part 11, Class B.2 (b) of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended). The determination of this application does not confirm the lawfulness of the works in the event it is considered the works are not demolition for the purposes of the Order.

History of negotiations/amendments received

Further information was requested in relation to the potential presence of bats. The applicant subsequently provided an email dated 9 June 2025 confirming that, following the survey undertaken in June 2025, no bats were recorded using the building as a roost. The agent's Ecologist reviewed the findings and confirmed that no further survey work is required.

Relevant Planning History

There is no relevant planning history at the site or at adjacent sites.

Consultation Responses

KC Ecology Unit – Initial comments received requested a Bat Survey prior to determination of this prior notification application.

A section 80 notice would be required.

Parish/Town Council

N/A.

Local Ward Members

None.

Representations

The Local Planning Authority did not publicise the Prior Notification application, as the duty lies with the applicant to advertise their intention to demolish the building. Photos of the site notices around the site have been provided by the applicant's agent.

The site notices were posted on the 2nd March 2026.

It is considered that the Prior Notification application met the conditions of Schedule 2, Part 11, Class B.2 (b) of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), with regard to publicising the application and the applicant's contact details.

Relevant Planning Policy and Guidance

The Town and Country Planning (General Permitted Development)(England) Order 2015(as amended) ["GPDO"].

Appraisal

General Principle

An application has been submitted for determination as to whether prior approval for the method of demolition and/or restoration of the site is necessary and is required to be determined under Class B of Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development)(England)Order 2015 (as amended). This requires a site notice to be displayed on or near the land for not less than 21 days.

Class B of Part 11, Schedule 2 of the GPDO gives Permitted Development rights for demolition that has obtained prior approval. An application for Prior Notification of Proposed Demolition triggers a 28-day process in which the Local Planning Authority has to determine whether or not formal approval is needed for the works. If so, then details of the method of demolition and means of restoring the site needs to be approved.

Part B.2 of Part 11 of Schedule 2 of the GPDO makes it clear that such prior approval is not needed for demolition that is considered to be 'excluded demolition'. 'Excluded demolition' is defined at Para B.3 (GPDO) to mean 'any development on land which is the subject of a planning permission, for the redevelopment of land'.

There are no current extant planning consents relating to the existing building. Therefore, the development set out in the prior notification application does not fall within the category of 'excluded demolition'. Furthermore, the development is not considered to be 'urgently necessary in the interests of health and safety'.

Where development is not 'excluded development' or 'urgently necessary', the applicant is required to apply to the Local Planning Authority (LPA) for the determination as to whether prior approval of the LPA is required as to the method of demolition and any proposed restoration of the site.

The demolition is not considered to be 'relevant demolition' for the purposes of 196D of the Town and Country Planning Act 1990 as it is not located in a Conservation Area.

For the purposes of Article 3(10) of the Order the proposed works are not considered to fall within any category of Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 by reason of the site area and that the works relate to demolition rather than the provision of a new building, deposit or structure.

Evidence of site notices being erected around the site have also provided as part of this application.

Bats

A Bat Survey has been submitted in support of the application. The survey confirms that, although the wider area and preliminary inspections indicate that bats could be present locally, the building itself offers low overall suitability for roosting bats. The structure has been stripped of all internal features and now comprises bare earth flooring and exposed walls. The roof is formed of a single-skin corrugated composite with exposed roof timbers, some of which contain cracks and joints that could theoretically be used by individual bats. The interior is otherwise uncluttered, providing a clear drop zone beneath these features. Despite this, no evidence of bat presence was recorded during the inspection, and the interior roof structure is assessed as having low potential to support roosting bats.

An email from the agent dated 9 June 2025 confirms that an activity survey was carried out on Wednesday 4 June 2025, and that no bats were recorded using the building as a roost.

Given the survey findings and the building's classification as having low roosting potential, officers consider that requiring further survey work or additional ecological conditions would be disproportionate. Officers also consider that the lighting condition recommended by KC Ecology is not necessary nor capable of being imposed on this prior approval, in this instance due to the nature and scale of the proposed development.

However, it is considered appropriate to include an informative advising the applicant that, should bats or evidence of bats be discovered during the course of the works, all activity must cease immediately and Natural England should be contacted for further guidance before works resume

Method of Demolition

The Method Statement confirms that the site will be secured by Miller Homes using Heras fencing and gates prior to demolition works commencing. The building will then be demolished using an excavator already operating on the Miller Homes site. All resulting rubble will be removed from the site, and the area will be reinstated with topsoil and grass seed.

The site is not located in proximity to any sensitive receptors, with the nearest dwelling situated over 110 m away. As a result, no noise mitigation measures have been submitted or considered necessary.

Restoration of the Site

The application form states the site will be top soiled and seeded.

Conclusion

The details of the submission are considered acceptable

Recommendation: Prior Approval Approved

Decision Authorisation: Delegated Decision

Application Number: 2025/93328

Officer Recommendation: Prior Approval Approved.

Prior Approval approved.

NOTE: The site is located within the Kirklees Bat Alert Layer and there is an increased potential for roosting bats. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). 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: It is recommended that no demolition related noise shall be audible beyond the site boundary outside the hours of:
07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Public Holidays.

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.

Plans and Specifications Schedule:

Plan Type	Reference	Web ID	Date Received
Location Plan	-	-	03/12/2025
Location Plan	100	-	03/12/2025
Barn Demolition Millers Site Felks Stile Road dated 25/11/2025	-	-	03/12/2025
Demolition Asbestos Survey dated February 2025	-	-	03/12/2025
Preliminary Bat Roost Assessment dated March 2025	-	-	03/12/2025
Application form	-	-	03/12/2025

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

Further information was sought in relation to bats.