

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:	2025/62/93514/E
Site Address:	land at, Brownhill Farm, Old Lane, Birkenshaw, BD11 2JL
Description:	Demolition of existing barns and erection of 4 detached dwellings
Recommending Officer:	Kerri Simpson

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: 5th August 2026

Officer Report – 2025/93514

Brownhill Farm, Old Lane, Birkenshaw, BD11 2JL

Site Description

The application site is located to the North East of the Brownhill Farm house which is accessed via an unadopted access from Old Lane, Birkenshaw. The site is made up of a number of vacant agricultural buildings constructed from corrugated steel and brick. The immediate area around the buildings is hardstanding which is enclosed by a timber fence. The site is located within a green belt location with a mixture of built forms including, terraced, two storey detached and detached bungalows set to the South West and North West along Old Lane.

The site is subject to the following planning policy designations and constraints:

- Bat Alert Zone
- Development High Risk Area Coal

Description of Proposal

The Scheme

The application seeks full planning permission for the demolition of the existing agricultural buildings and the erection of four detached dwellings with access, parking, landscaping and other ancillary works. The proposed dwellings would be two storey in height with single storey elements and each would benefit from two off-street parking spaces, an integral garage and private garden. One visitor parking space is also proposed within the development. The external materials would comprise clay brickwork and rendered elevations with areas of timber cladding beneath natural slate roofs, together with PPC aluminum windows and composite entrance doors.

History of Negotiations / Amendments Received

During the course of the application, a corrected ownership certificate was submitted. Certificate B was completed and the applicant confirmed that notice had been served on the relevant parties. The amended ownership certificate was received on 30th March 2026, which required a further period of public consultation.

On 8th May 2026, updated ecological information was submitted, comprising a suite of ecological reports and Biodiversity Net Gain (BNG) assessment. The additional information was reviewed by the Councils Ecologist and was considered acceptable.

Relevant Planning History

The most relevant planning history relates to the following planning applications:

Ref: 2019/91225

Description: Demolition of existing agricultural buildings and erection of 3 detached dwellings with integral garages and detached garage to existing dwelling.

Decision: Withdrawn (17/02/2020)

Ref: 2019/92722

Description: Alterations, part demolition and erection of extension to existing farm buildings to create 3 dwellings.

Decision: Conditional Full Permission (04/12/2019)

Ref: 2022/91792

Description: Demolition of existing barns and erection of three detached dwellings.

Decision: Withdrawn (23/10/2023)

Ref: 2022/93445

Description: Discharge of Condition 6 (footway link) on permission 2019/92722 for alterations, part demolition and erection of extension to existing farm buildings to create 3 dwellings.

Decision: Discharge of Conditions Approved (13/09/2024)

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (2024).

The application has been publicised on the Council's website, and by site notice. The expiry date of the publicity period was 23rd April 2026.

There were three public letters of objection and one general comment received. The matters raised can be summarised as follows:

- Concerns regarding the adequacy and safety of the proposed access, including highway safety, visibility at the junction with Old Lane, and the cumulative impact of additional traffic
- Concerns regarding the adjacent retaining wall, including potential damage arising from increased traffic and responsibility for future repairs and maintenance
- Concerns regarding land ownership and notification procedures
- Concerns that the proposal would be out of keeping with the rural character of the area and farmstead in terms of scale, appearance and material
- Concerns that the proposal differs significantly from a previously approved scheme and impact of this on the Green Belt

These matters are addressed in the following report.

Consultation Responses

The following consultations have been undertaken for this application with the summarised responses listed below.

The Mining Remediation Authority (The Coal Authority) – No objection.

KC Waste Strategy - No objection subject to conditions for a waste strategy and waste management details.

KC Environmental Health Team - No objection subject to conditions for Noise Assessment/mitigation scheme, contaminated land and external lighting.

KC Ecology Unit – No objection subject to conditions pertaining to the submission of a lighting strategy, Construction Environmental Management Plan (for biodiversity) and Biodiversity Enhancement Plan.

KC Highways Development Management – No objection subject to conditions securing the approved access improvements, footway link, passing places, parking provision and highway work.

The responses of the above consultees are discussed in greater length within the 'Assessment' section of this report.

Allocation and Policy

The site is within the Green Belt designation of the Kirklees Local Plan (adopted 2019).

The following legislation, policy and guidance is considered relevant to the determination of this application: -

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP7 Efficient and effective use of land and buildings
- LP20 Sustainable travel
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP26 Renewable and low carbon energy
- LP28 Drainage
- LP30 Biodiversity and Geodiversity
- LP51 Protection and Improvement of Local Air Quality
- LP52 Protection and Improvement of Environmental Quality
- LP53 Contaminated and Unstable land

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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 4 Decision-making
- Chapter 9 Promoting sustainable transport
- 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 Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)
The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.
Section 17 of the Crime and Disorder Act 1998 (as amended)
The Conservation of Habitats and Species Regulations 2017

Assessment

1.Principle of Development

Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation. The dimensions of sustainable development will be considered throughout the assessment. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted.

Fallback Position

The site benefits from an extant planning permission for the conversion of the existing agricultural building to three dwellings under application reference number 2019/92722. As part of that permission, improvements to the site access have been carried out and remain in situ. Accordingly, there is a realistic fallback position that constitutes a material consideration in the assessment of the application and the overall planning balance.

Principle of Development in the Green Belt

Chapter 13 (Protecting Green Belt Land) of the National Planning Policy Framework (December 2024) sets out at Paragraph 142 that the Government attaches great importance to Green Belts. 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. The NPPF goes on to establish in Paragraph 143, that the purposes of the Green Belt are:

- a) to check the unrestricted sprawl of large built-up areas;
- a) to prevent neighbouring towns merging into one another;
- b) to assist in safeguarding the countryside from encroachment;
- c) to preserve the setting and special character of historic towns; and
- d) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

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 (footnote 55). Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations’”*.

Paragraph 155 of the NPPF (Grey Belt)

Paragraph 155 of the NPPF states that development in the Green Belt should not be regarded as inappropriate where:

- 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 (footnote 56);
- b) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework (footnote 57); and

- c) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157

Annex 2 of the NPPF defines Grey Belt as:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development”.

To determine whether the land could be considered as Grey Belt, consideration should first be given to where or not the land strongly contributes to purposes (a), (b) or (d) set out in Paragraph 143 of the NPPF (December 2024). If the land does not strongly contribute to these purposes and is considered Grey Belt, then an assessment should follow as to whether development would fundamentally undermine the strategic function of the remaining Green Belt across the Local Plan Area as whole, as required by Paragraph 155 of the NPPF.

Meeting Green Belt Purposes – Land (Paragraph 155a)

Planning Practice Guidance published 27 February 2025 pertaining to Green Belt, sets out the considerations which inform the judgements on what level of contribution the site/land makes to the Green Belt purposes. It also outlines that villages should not be regarded as “large built-up areas”.

The application site is not adjacent to a large built-up area. The nearest large built-up area is Birstall some 3km away. Whilst Birkenshaw is closer this is a village rather than large built-up areas. Accordingly, the land is not considered to strongly contribute to Green Belt purpose (a) – to check the unrestricted sprawl of large built-up areas and therefore makes only a weak contribution.

In relation to Green Belt purpose (b), the land forms a very small part of a wider gap between towns in Kirklees and beyond the borough boundary. Accordingly, the site is not considered to strongly contribute to Green Belt purpose (b) and therefore makes only a weak contribution.

With regards to Green Belt purpose (d), the site does not form part of the setting of a historic town. Accordingly, the site is not considered to strongly contribute to Green Belt purpose (d) and therefore makes no contribution.

It is therefore considered that the land does not strongly contribute to any of the purposes in Paragraph 143 (a), (b) or (d) of the NPPF, nor do any exclusions under footnote 7 apply.

Meeting Green Belt Purposes – Development (Paragraph 155a)

The site is located within an existing cluster of development associated with the former agricultural activities at Brownhill Farm. The proposed dwellings would be sited largely upon the footprint of the former agricultural buildings, with existing dwellings to the west and site boundaries to the north, south and west providing both visual and physical containment. The proposed development would form part of the gap between towns within Kirklees and neighbouring boroughs, however, at this modest scale and replacing an existing cluster of development, the development would not undermine the Green Belts role of preventing neighbouring towns merging into one another (purpose b), nor would it undermine the Green Belts role of safeguarding the countryside from encroachment (c) given the development would be read in the context of an existing residential built form, sited upon areas previously built, would be of an appropriate scale and footprint, with appropriate materials

The site is not located within or near the setting of a historic town and would have no impact on heritage context or character (purpose d). While the proposal does not directly contribute to urban regeneration, it would not prejudice the use of such land for development. Therefore, it is not considered that the development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area.

Demonstrable Unmet Need (Paragraph 155b)

With regards to Paragraph 155 (b), Kirklees currently has a 4.18 years supply of housing land (2025 update), which falls below the required five-year supply. The 2023 Housing Delivery Test results (12/12/2024) indicate an under delivery for the past three years (April 2020-March 2023), falling below the 75% pass threshold.

The proposed development would contribute to addressing housing need within Kirklees through the delivery of a new family sized dwelling. The proposal would provide four family sized dwellings, that would contribute toward the local housing supply and offer a dwelling aligned with the identified need for family homes.

In this context, the proposal offers a modest but valuable contribution to housing need in a district with a shortfall in general supply. As such, it is considered that there is a demonstrable unmet need for the type of development proposed

Sustainable Location (Paragraph 155c)

Paragraph 155 (c) of the NPPF requires decision makers to be satisfied that Grey Belt development is located within a sustainable location, having

particular regard to transport considerations set out in Paragraphs 110 and 115 of the Framework.

The site is located on the outskirts of the village of Birkenshaw, within a short walk (0.3miles / 500m) of the Birkenshaw Local Centre. The Local Centre provides access to essential goods and services, including frequent buses, schools and other necessary amenities. As such, it is considered that the site is in a sustainable location for the purposes of Paragraph 155(c).

Conclusion on Paragraph 155

Overall, the application site is considered to comprise Grey Belt Land, as it does not strongly contribute to Green Belt purposes (a), (b), or (d) and is not subject to any of the exclusions identified within footnote 7 of the NPPF. The development of this limited part of a former agricultural site for four new dwellings and would not fundamentally undermine the purpose of the remaining Green Belt across the wider plan area. The proposal would also meet an identified need for housing in the context of a lack of 5-year housing land supply. For the reasons set out above, it is considered to be located within a sustainable location. Accordingly, the proposal satisfies the relevant requirements of Paragraph 155 of the NPPF and should not be regarded as inappropriate development in the Green Belt.

Very Special Circumstances

As it is considered that both the land and the proposed development fall within the exceptions set out in paragraph 155 of the NPPF, it is not necessary to demonstrate very special circumstances (VSCs). The proposal as submitted does not constitute inappropriate development in the Green Belt when assessed against this policy context, and therefore the requirement to justify harm by reason of inappropriateness does not apply.

Housing Matters

The 2025 update of the five-year housing land supply position for Kirklees shows 4.18 years supply of housing land, and the 2023 Housing Delivery Test (HDT) measurement which was published on 12/12/2024 demonstrated that housing delivery for Kirklees for the past three years (April 2020-March 2023) has fallen below the 75% pass threshold.

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.

Policy LP3 of the Kirklees Local Plan is also of relevance insofar as it requires development to deliver homes in a sustainable way.

Policy LP7 of the Kirklees Local Plan supports the efficient and effective use of land and buildings including the re-use of previously developed land, underused properties, priority to despoiled, degraded, derelict and contaminated land, particularly in a sustainable location and if it is not of high environmental value.

The proposal seeks planning permission for the erection of a four detached dwellings. The development would make an effective use of a previously built area of land and would deliver a modest contribution to the Borough’s housing stock. Given the site’s location within a sustainable area, the proposal is considered acceptable in principle, subject to compliance with other relevant planning policies and material planning considerations.

The provision of additional housing carries positive weight in the planning balance, particularly having regard to the Council’s current five-year housing land supply position. Accordingly, the principle of residential development on the site is considered acceptable, subject to the detailed assessment set out elsewhere in this report.

2.Impact on character and appearance of the area

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development; it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape*.

The proposal would seek the demolition of the existing agricultural buildings and replacement them with four detached dwellings arranged around a

shared courtyard. The layout follows the established built footprint of the existing complex, retaining the existing access and reflecting the traditional courtyard arrangement associated with site. Whilst the footprint of the development extends slightly beyond parts of the existing buildings, the proposal would consolidate development within the established built areas rather than project into the surrounding open fields.

The proposed dwellings would be two storeys in height with single storey elements and would be comparable in scale to the existing neighbouring residential dwelling and the existing buildings. The development has been arranged to provide adequate spacing between the dwellings, with the built form broken into four individual units rather than a continuous block. This assist in reducing the perceived mass of the development and allows views through the site, maintaining a degree of openness within the courtyard. Although the proposal would introduce domestic built form in place of agricultural buildings, the overall scale and massing are considered proportionate to the existing character of the site and would not appear unduly prominent within the wider landscape.

The proposed dwellings adopt a contemporary architectural approach whilst incorporating a pallet of tradition materials including clay brick and timber cladding beneath a natural slate roof, taking cues from the existing buildings on site, together with PPC aluminum windows and composite doors. The varied use of materials and articulation of the elevations provide visual interest and avoids overly uniform appearance. The dwellings have been designed with simple roof forms and proportions that acknowledge the agricultural character of the site without seeking to fully replicate the barns. The contemporary detailing, together with the high-quality materials proposed, is considered appropriate for the character of the area.

The proposal also includes hard and soft landscaping comprising private gardens, shrub planting, hedging and timber post and rail fencing as boundary treatment. These measures would soften the appearance of the development and assist in integrating it into the surrounding rural setting. The landscaping proposals area considered appropriate in this regard. Given unsympathetically designed lighting can impact visually, it is considered necessary that a lighting scheme is required as a condition of any grant of permission in this case.

Overall, the proposal is considered to respond positively to the character and appearance of the area and would preserve the rural qualities of the surrounding landscape. The development is therefore considered to accord with the design objectives of the NPPF and Policies LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework 2024.

3. Impact on Residential Amenity

Sections 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.

Principle 6 of the Housebuilders Design Guide sets out that the space between buildings can help maximise residential amenity in terms of maintaining privacy, reducing overlooking and ensuring natural light is able to penetrate buildings. Space about buildings can also make a positive contribution to local character and street scenes. It then goes on to provide the following minimum separation distances for two storey houses, which would be relevant to this two storey conversion, the distances are as follows:

- **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.

Brownhill Farm (Existing Detached Dwelling)

This neighbour is located adjacent to the western boundary of the application site and would have an oblique side-to-side relationship with the nearest proposed dwelling, with a separation distance of approximately 11m to 19m. The neighbouring property is served by a single first-floor window, which would retain an outlook over the single-storey front element of the nearest proposed dwelling and continue to benefit from adequate levels of daylight, sunlight and privacy, owing to the position and orientation of the proposed development. Accordingly, it is not considered that the proposal would result in any adverse impact on the amenity of this neighbouring occupier.

Russel Grove

There are several residential properties located on Russel Grove; however these would maintain a minimum separation distance of circa 160m from the proposed dwellings. This distance would significantly exceed the minimum requirements set out in the Housebuilders Design Guide SPD, as such, it is not considered that the proposal would have an impact on the amenity of these neighbours in terms of daylight, sunlight, privacy or overlooking.

Future Occupiers

Policy LP24 of the Kirklees Local Plan seeks to ensure that development provides a satisfactory standard of amenity for existing and future occupiers.

This includes consideration of the quality of accommodation, noise disturbance and other environmental impacts that could adversely affect living conditions.

Policy LP52 of the Kirklees Local Plan seeks to ensure that development which has the potential to be affected by, or give rise to, pollution including noise is accompanied by appropriate evidence and mitigation to ensure that it does not result in an unacceptable impact on the amenity of future occupiers. Paragraph 187 of the NPPF similarly requires planning decisions to mitigate and reduce to a minimum potential adverse impacts resulting from noise.

The Nationally Describe Space Standards (NDSS) set out minimum internal space requirements to ensure that new dwellings provide an adequate standard of living for future occupants. Similarly, Principle 16 of the Kirklees Housebuilders Design Guide SPD emphasizes the importance of providing high quality internal living expectations and contribute to a sustainable housing stock.

The proposed development would deliver four single family dwellinghouses each with 3 double bedrooms and two single bedrooms. Each dwelling would have a Gross Internal Area exceeding the minimum requirement of 128sqm for a 5 Bedroom 8 Person unit across two storeys. All bedrooms would meet the minimum requirements for their respective room types (double/single space). While the dwelling would not have dedicated built-in storage, given the overall GIA exceeds the minimum requirements of the NDSS, it is considered that there would be sufficient space within each dwelling for future occupiers to accommodate adequate storage. Each dwelling would benefit from good levels of outlook, daylight and sunlight through primary windows. External rear amenity spaces are indicated to comprise a patio area and soft landscaping. The quantity and quality of the private amenity space for each dwelling is considered acceptable in this instance.

Environmental Health notes that a wind turbine serving the nearby commercial/ industrial units at Hill Top Farm is located circa 350m from the site. Whilst these uses have the potential to generate noise, Environmental Health have not raised an objection to the principle of residential development at the site and recommends a condition requiring a noise assessment to ensure an appropriate standard of amenity for future occupiers.

Given unsympathetically designed lighting can impact neighbouring / future occupiers in terms of glare / nuisance, it is considered necessary that a lighting scheme is required as a condition of any grant of permission in this case.

Having regard to the quality of the proposed accommodation, private amenity provision and the mitigation in respect of noise, it is considered that, subject to conditions, the proposal would provide an acceptable standard of living conditions for future occupiers in accordance with Policies LP24 and LP52 of the Kirklees Local Plan, Principle 16 of the Kirklees Housebuilders Design Guide SPD and the Chapters 12 and 15 of the National Planning Policy Framework.

4. Impact on Highway Safety

Policy LP21 of the Kirklees Local Plan requires development to provide safe, convenient, and efficient access for all users, including pedestrians, cyclists, public transport users, and vehicles. Proposals must not result in an unacceptable impact on the highway network.

Policy LP22 sets out parking requirements stating that developments should provide appropriate provision for vehicles in accordance with the Council's adopted parking standards. This includes on-site parking for residents and visitors, as well as provision of servicing and deliveries where relevant.

These policies are underpinned by Chapter 9 of the NPPF which requires that development proposals ensure safe and suitable access for all users, mitigate any significant impacts on the transport network, and provide adequate opportunities for sustainable travel.

The Highways Development Management Team were consulted on the application; however, raising no objection subject to conditions. It is noted that condition 6 of application 2019/92722 was discharged under reference 2022/93445 which secured highway improvements to the existing access onto Old Lane, including the widening of the access, provision of a footway, visibility improvements and associated highway works. Officers visited the site on 12th February 2026 and confirm that these works have since been implemented including the "Keep Clear" road markings, passing place and improved pedestrian facilities. The current proposal would utilise this improved access arrangement and provides adequate access arrangements.

Within the body of the site, the proposal provides a shared access drive, turning area ensuring vehicles are able to enter and exit the site in a forward gear. Each dwelling would benefit from 3 to 4 parking spaces per plot and a visitor space to serve the development. The quantity of parking spaces accords with the minimum recommended requirements for four dwellings with 4+ bedrooms set out in the Highways Design Guide SPD.

Kirklees Waste Strategy Team have reviewed the application. The submitted plans show bin storage within each residential curtilage together with a communal collection point within the site. Refuse vehicle tracking demonstrates that a refuse vehicle can enter and exit the site in a forward gear. Officers are therefore satisfied that adequate refuse storage and collection arrangements have been provided.

Overall, the proposal is considered to provide satisfactory access, parking, turning and servicing arrangements and would not give rise to an unacceptable impact on highway safety. The proposal therefore accords with Policies LP20, LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework 2024.

5. Ecology and Biodiversity

The Biodiversity Net Gain (BNG) Technical Advice Note provides local context on implementing BNG and reflects the statutory requirement introduced by the Environment Act 2021, which mandates a minimum 10% biodiversity net gain for most developments.

Chapter 15, seeks to protect and enhance the natural environment by securing measurable biodiversity net gains, safeguarding irreplaceable habitats, and ensuring that harm to biodiversity is avoided, mitigated or, only where absolutely necessary, compensated.

Policy LP30 of the Kirklees Local Plan seeks to ensure that development proposals protect and enhance the natural environment. This includes safeguarding species and habitats of principal importance, avoiding significant harm to biodiversity, and securing measurable biodiversity net gains wherever possible.

The application is supported by a Preliminary Ecological Appraisal, Biodiversity Impact Assessment and Biodiversity Net Gain Metric, which were subsequently revised during the course of the application. Following review of the updated information, the Council's Ecologist raised no objection to the proposal.

The submitted assessments confirm that the existing buildings are not considered suitable for roosting bats and that the site is of relatively low ecological value. The Biodiversity Net Gain Metric demonstrates that the development would achieve in excess of the mandatory 10% biodiversity net gain through on-site enhancement measures.

The Council's Ecologist has recommended conditions requiring the submission of a Construction Environmental Management Plan (Biodiversity), a Biodiversity Enhancement Management Plan and a sensitive lighting strategy to ensure appropriate mitigation and enhancement measures are secured. Subject to these conditions, the proposal is considered acceptable in ecological terms and complies with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

6. Flood and Drainage

Chapter 14 of the NPFF seeks to direct development away from areas at risk of flooding and ensure that new development does not increase flood risk elsewhere. It also requires that surface water is managed using SuDs where possible and that developments are supported by appropriate drainage infrastructure, taking into account ground conditions and pollution risk.

Policy LP28 of the Kirklees Local Plan reflects these national objectives, requiring all new development to incorporate appropriate foul and surface water drainage arrangements, including SuDs where feasible, and to ensure that any such infrastructure does not increase flood risk or lead to pollution on or off site.

The site is not located within a designated Flood Zone and is not identified as being at risk of surface water flooding. As such, there is no requirement for a Flood Risk Assessment in this case. However, in accordance with Policy LP28 of the Kirklees Local Plan and the aims of Chapter 14 of the NPPF, new development should still incorporate sustainable drainage solutions to ensure that surface water is managed appropriately and does not exacerbate flood risk on or off site. As such, it is considered reasonable to recommend a condition to ensure that parking areas are appropriately laid and drained in order to meet the wider aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the NPPF.

7. Contaminated Land

Chapter 15 of the NPPF promotes safe and healthy living environments and requires that land contamination and other environmental constraints are considered and mitigated as part of the planning process. Policies LP51 and LP53 of the Kirklees Local Plan seek to ensure that development does not cause, or result in exposure to, pollution or environmental risks that would be harmful to human health or the environment. These policies require developments to be appropriately assessed and, where necessary, remediated to ensure that sites are suitable for their intended use.

The application site is not identified on the Council's GIS as contaminated or potentially contaminated land nor within the buffer of or upon a historic landfill. A precautionary unexcepted contamination condition is recommended to ensure any previously unidentified contamination encountered during the course of the development is appropriately investigated and remediated.

The application site lies within the Development High Risk Area defined by The Mining Remediation Authority (MRA) (formerly known as the Coal Authority). A Coal Mining Risk Assessment was submitted and review by the Mining Remediation Authority who considered that the content and conclusions drawn with the report are sufficient for the purposes of the planning system. They raise no objection, noting that the information submitted demonstrates that the application site is safe and stable for the proposed development.

An informative is recommended advising the applicant of the Mining Remediation Authority's guidance should coal mining features be encountered during construction, together with the need to obtain any necessary permits where intrusive groundworks are proposed. Having regard to Paragraphs 196 and 197 of the NPPF, it remains the responsibility of the developer to ensure the site is suitable for its intended use and that any unexpected ground conditions encountered during construction are appropriately investigated and addressed.

Environmental Health has reviewed the submitted Phase 1 Desk Study and raised no objection in principle to the proposal. The preliminary conceptual model identifies potential pollutant linkages that require further investigation.

Conditions are therefore recommended requiring the submission of a Phase 2 Site Investigation, a Remediation Strategy where necessary, and a Verification Report to demonstrate that any contamination has been appropriately remediated prior to occupation.

Subject to the recommended conditions and informatives, the proposal is considered acceptable with regard to land contamination and coal mining legacy features, as such, the proposal would meet the aims of Policies LP53 and LP51 of the Kirklees Local Plan and Paragraphs 196 and 197 of the NPPF

8. 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.

A Climate Change Statement has not been submitted in support of the application however, the Design and Access Statement confirms that the proposed dwellings would exceed the requirements of Part L of the Building Regulations, utilise Air Source Heat Pumps to provide heating and hot water, incorporate energy-efficient lighting and water saving devices, and provide recycling facilities. These measures would contribute towards reducing the environmental impact of the development. Accordingly, the development is considered to accord with Policies LP1 and LP26 of the Kirklees Local Plan, Chapter 15 of the NPPF and the Councils Climate Change Agenda.

7. Other Matters

Pre-commencement conditions

Section 100ZA of the Town and Country Planning Act 1990, provides that pre-commencement conditions may only be imposed with the written agreement of the applicant. The Local Planning Authority is satisfied that the following conditions are necessary, relevant, enforceable and reasonable, and that the matters they address need to be resolved prior to the commencement of development.

The following pre-commencement conditions are recommended:

- Submission of a Construction Environmental Management Plan (CEMP) in the interests of biodiversity, in accordance with Policy LP30

of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.

- Submission of a Biodiversity Enhancement Management Plan (BEMP) in the interests of biodiversity, in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024.
- Contaminated Land Conditions:
 - Submission of Phase 2 Intrusive Site Investigation Report
 - Submission of Remediation Strategy
 - Implementation of the Remediation Strategy
 - Submission of Verification Report

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 187 and 196 of the National Planning Policy Framework 2024.

- Submission of a Noise Impact Assessment to protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework

Written agreement to the imposition of the above pre-commencement conditions was received from the applicant on 3rd August 2026 via email.

Omitted Conditions

The ventilation condition recommended by the Environmental Health Team has not been imposed as it would duplicate the requirements of the noise assessment condition. The approved noise assessment is required to identify any necessary mitigation measures. Should the assessment demonstrate that habitable rooms require windows to remain closed to achieve acceptable internal noise, suitable ventilation measures can be secured through the discharge of the noise assessment condition. Accordingly, a separate ventilation condition is not considered necessary or reasonable in this instance.

8. Representations

There were three letters of objection and on general comment from members of the public received, these are addressed as follows:

- Concerns regarding the adequacy and safety of the proposed access, including highway safety, visibility at the junction with Old Lane, and the cumulative impact of additional traffic.

Comment:

These concerns are acknowledged. However, the site benefits from an improved access, visibility splays and associated highway works implemented under a previous approved planning permission. The proposal would provide adequate parking and turning facilities within the site, and it is considered that the development would not result in an unacceptable impact on highway safety.

- Concerns regarding the adjacent retaining wall, including potential damage arising from increased traffic and responsibility for future repairs and maintenance

Comment:

The potential impact on, ownership of and responsibility for the maintenance of the retaining wall are private civil matters and are not material planning considerations in this instance.

- Concerns regarding land ownership and notification procedures

Comment:

The Local Planning Authority is satisfied that the relevant ownership certificates and notification requirements have been completed in accordance with the Town and Country Planning (Development Management Procedure) Order 2015. The application was advertised in accordance with the Kirklees Development Management Charter 2024.

- Concerns that the proposal would be out of keeping with the rural character of the area and farmstead in terms of scale, appearance and materials.

Comment:

These matters have been fully assessed within the visual amenity section of this report. It is considered that the layout, scale, appearance and materials would respond appropriately to the character of the rural character of the area.

- Concerns that the proposal differs significantly from a previously approved scheme and impact of this on the Green Belt

Comment:

The previous implemented planning permission has been taken into account as material consideration, including the realistic fallback position. However, the current proposal has also been assessed on its own planning merits against the Development Plan and the relevant provisions of the NPPF, including those relating to Green Belt development. The national planning

policies applicable at the time of the previous applications has since changed through the introduction of the Grey Belt exception.

Matters raised have been comprehensively assessed in the body of this report.

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

Recommendation

APPROVE

Decision Authorisation: Delegated Powers

Application Number: 2025/93514

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.

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, LP7, LP20, LP21, LP22, LP24, LP26, LP28, LP30, , LP51, LP52 and LP53 of the Kirklees Local Plan, Chapters 2, 4, 9, 11, 12, 13, 14 and 15 of the National Planning Policy Framework and the Provisions of the Highway Design Guide SPD and Housebuilders Design Guide SPD.

3. Before development commences on the superstructure of the new dwellings hereby approved a scheme which details all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until it has been completed in accordance with the approved scheme.

Reason: In the interest of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan principles within the Housebuilders Design Guide as well as the policies contained within Chapter 12 of the National Planning Policy Framework.

4. The development hereby approved shall not be brought into use until all areas to be hard surfaced for access and parking have been and 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 (ISBN 9781409804864) as amended or any successor guidance. These areas shall be so retained, free of obstructions and available for access and parking. **Reason:** In the interests of visual amenity, highway safety and to mitigate flood risk. To accord with Policies LP21, LP22, LP24 and LP28 of the Kirklees Local Plan and the policies contained within Chapters 9 and 12 of the National Planning Policy Framework 2024.

5. Notwithstanding the submitted details, prior to first occupation of the dwellings hereby approved, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all hard and soft landscaping, including the species, size and location of trees and shrubs, boundary planting, surfacing materials and a programme for implementation. The approved landscaping shall be carried out in the first planting season following the first occupation of the dwellings or completion of the development, whichever occurs first. Any trees or plants which, within five years of planting, die, are removed or become seriously damaged or diseased shall be replaced with others of similar size and species. All areas of soft landscaping shall be thereafter retained as soft landscaping for the lifetime of the development.

Reason: To ensure a high-quality development that enhances the visual amenity of the site and biodiversity, in accordance with Policies LP24 & LP30 of the Kirklees Local Plan, principles within the Housebuilders Design Guide and policies within Chapters 12 & 15 of the National Planning Policy Framework 2024.

6. Prior to the commencement of above ground works, a Biodiversity Enhancement Management Plan (BEMP) shall be submitted to and approved by the Local Planning Authority. The content of the BEMP shall include the following:

- Purpose and conservation objectives for the proposed enhancement measures
- Detailed designs to achieve the stated objectives
- Location of the proposed enhancement measures
- Persons responsible for implementing the enhanced measures
- Details of initial aftercare and long-term maintenance

The development shall not be brought into use until the approved BEMP has been implemented and shall be thereafter retained.

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

7. 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 proposed lighting will not impact upon ecological networks and/or sensitive features. Thereafter any external lighting shall be implemented in accordance with the approved scheme and retained in accordance with the approved scheme whilst ever in situ.

Reason: In the interests of visual amenity, residential amenity and Biodiversity and in accordance with policies LP24 & LP30 of the Kirklees Local Plan, principles within the Housebuilders Design Guide and policies within Chapters 12 & 15 of the National Planning Policy Framework 2024.

8. Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and 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. 187 and 196 of the National Planning Policy Framework 2024. This is a pre-commencement condition to ensure that any risk from land contamination is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

9. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 8, further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. **Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 187 and 196 of the National Planning Policy Framework 2024. This is a pre-commencement condition to ensure that any risk from land contamination is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

10. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to

condition 9. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, 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. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 187 and 196 of the National Planning Policy Framework 2024. This is a pre-commencement condition to ensure that any risk from land contamination is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

11. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and 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. 187 and 196 of the National Planning Policy Framework 2024. This is a pre-commencement condition to ensure that any risk from land contamination is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

12. 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
- a) Identification of "biodiversity protection zones"
- b) 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)

- c) The location and timing of sensitive works to avoid harm to biodiversity features.
- d) The times during construction when specialist ecologists need to be present on site to oversee works.
- e) Responsible persons and lines of communication.
- f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- g) Use of protective fences, exclusion barriers and warning signs.

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

- Precautionary Working Method Statement for Badgers

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. **Reason:** In the interests of biodiversity and in accordance with LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework 2024. This is a pre-commencement condition to ensure ecological protection measures are secured before works commence and are implemented throughout the construction phase.

13. Prior to the commencement of development, a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall consider all significant sources of noise likely to affect the proposed development, including road traffic, the nearby turbine and the Hill Top Farm industrial/commercial premises. The assessment shall:

- a) Determine the existing noise climate;
- a) Predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time) and other habitable rooms of the development;
- a) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

The approved mitigation measures shall be fully implemented prior to the first occupation of the development and retained thereafter.

Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that appropriate noise mitigation measures are identified and incorporated prior to construction commencing.

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 development.

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: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. 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 the 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: Noisy construction related activities shall not take place outside the hours of: 07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00 hours, Saturdays With no noisy activities 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.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required.

You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the site access(es).

This process will involve entering into a Section 38, 184 or 278 agreement of the Highways Act 1980, or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.'

NOTE: The applicant is advised that any external lighting should be designed and installed in accordance with the Institution of Lighting Professionals' Guidance Note for the Reduction of Obtrusive Light (GN01/21), ensuring that light spill and glare are minimised and that are the recommended limits for the relevant Environmental Zone are not exceed.

NOTE: The applicant is advised that any ventilation measures requires to satisfy the approved Noise Impact Assessment may also require approval under Building Regulations. The applicant should contact an approved Building Control Body for further advice before undertaking these works.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	(25419)2	A	22/12/2025
Plans as existing	(25419)1	-	22/12/2025
Site Plan	(25419)3	A	22/12/2025
Ground Floor Plan	(25419)4	A	22/12/2025
First Floor Plan	(25419)5	A	22/12/2025
Site Elevations	(25419)6	A	22/12/2025
Southern Elevations	(25419)7	A	22/12/2025
Eastern Elevations	(25419)8	A	22/12/2025
Northern Elevations	(25419)9	A	22/12/2025
Refuse Vehicle Tracking	PRGN – 2417-HGN-DR-CH-001	-	22/12/2025
Preliminary Ecological Appraisal (PEA) Report	FE694/PEA01	-	08/05/2026
Biodiversity Impact Assessment (BIA) Report	FE694/BIA01	-	08/05/2026
The Statutory	FE694	-	02/02/2026

Plan Type	Reference	Version	Date Received
Biodiversity Metric			
Ground Report	20570761	-	22/12/2025
Coal Mining Investigation	YG0179-20	01	22/12/2025
Planning Statement	PRI014	-	22/12/2025
Report in support of new dwellings at Brownhill Farm, Birkenshaw	25419	Rev A	22/12/2025
Phase I Desk Study Report for Brownhill Farm, Old Lane, Birkenshaw, BD11 2JL	25-10-10	-	22/12/2025

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. During the course of the application a corrected ownership certificate was submitted, requiring re-consultation. Updated ecological information was also received and subsequently accepted by the Council's Ecologist.