

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:	2026/62/90193/E
Site Address:	Land adj, 1a, Field Head, Shepley, Huddersfield, HD8 8DR
Description:	Demolition of existing barn and erection of two dwellings
Recommending Officer:	Danielle Cooper

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: 7th July 2026

OFFICER REPORT

Site Description

The application site occupies a prominent position at the junction of Field Head Road and Station Road. It is currently developed with a stone barn complex arranged in three connected sections: the original main barn, featuring a dual-pitched stone slate roof and presenting its principal elevation to Station Road; a later adjoining barn with a single-pitched corrugated roof facing Field Head Road; and a stone-built garage attached to the northeast gable of the main barn. Together, these structures define the site's southwest and northwest boundaries, while traditional drystone walls enclose the remaining southeast and northeast edges, creating a largely rectangular plot.

The barn is no longer used for agricultural purposes and now functions as a domestic workshop and store. The yard area consists entirely of hardstanding.

The wider surrounding area is predominantly residential in character, comprising a mix of stone-built and rendered properties.

The site is located outside of Shepley Conservation Area.

Bridleway KIR/188/30 runs adjacent the site frontage on Field Head.

Description of Proposal

The application seeks permission for the demolition of the existing barn and the construction of two new dwellings.

The proposal comprises a pair of two-storey semi-detached homes with gabled roof forms. Each dwelling features small front-facing dormer windows, with solar panels and rooflights which are incorporated into the rear roof slope. A cat-sliding two storey element is also proposed to the rear elevation for each unit.

The external walls will be constructed from locally sourced natural Yorkshire stone, complemented by ashlar quoins and corbel detailing. Roofs will be finished in stone slate, while the dormers will be clad in dark metal. Oak-framed entrance canopies are proposed, and the windows will be light grey flush-sash uPVC casements. The entrance canopies will be formed in oak.

The dwellings will front onto Field Head, with their side elevations visible from Station Road. Each property will benefit from two on-site parking spaces

positioned to the front, along with private rear garden areas providing amenity space.

Boundary treatments include hedging along the eastern and northern side boundary, retention of the existing stone wall, and the construction of new stone walls along the northern rear and western side boundaries. Bin stores are proposed to the front of the dwellings. An air-source heat pump is proposed to be installed within the rear garden of each property.

Both dwellings will provide three bedrooms arranged over 2.5 storeys, with a total internal floor area of 130m².

History of Negotiations

A bat survey report was requested, which was reviewed by KC Ecology and considered acceptable.

The case officer raised concern in regard to the boundary treatment and the impact of loss of privacy to neighbouring occupants. The agent therefore revised the plans to include hedging and a cat sliding two storey rear element which was considered acceptable.

Relevant Planning History

No.1a Field Head

2026/91205 – Erection of detached garage – Under consideration.

Representations

The application has been advertised by site notice and the press. Publicity expired on 6th March 2026. Six letters of representation have been received. The comments have been summarised below:

- Reversing vehicles in or out of the designated parking areas onto Field Head presents a hazard
- The proposed access and visibility raises highway safety concerns
- The proposal could impact on safe pedestrian routes along the site frontage close to the proposed drives.
- The proposal will increase on street parking.
- All other buildings along Station Road front onto the main road - it would be out of character to have the side of the house facing Station Road.
- The proposals would result in overshadowing to neighbouring properties.
- Height of dwelling will affect neighbouring view.

- The proposals will result in loss of privacy and overlooking impacts to neighbouring properties.
- No bat survey submitted. Concern of ecological impacts.
- The proposed boundary fence along the east side elevation raises visual, residential amenity and highway safety concerns.

Kirkburton Parish Council: Confirms they have no comment to make.

Only material planning considerations can be taken into consideration for the assessment of this application. The above comments will be addressed within the assessment of this application.

Consultation Responses

The following consultations have been undertaken with their response(s) summarised as follows:

KC Highways – No objection subject to conditions.

KC Ecology – No objection subject to conditions.

KC PROW – No comment

The content of the above listed consultees is discussed in further depth in the 'Assessment' section of this report.

Policy

The site is unallocated within the Kirklees Local Plan, although does fall within an area with a known presence of bats and that is identified as being at lower risk of ground movement as a result of former mining activity.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 unallocated on the Kirklees Local Plan.

Kirklees Local Plan (KLP):

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP 3** – Location of New Development
- **LP 7** – Efficient and Effective Use of Land and Buildings
- **LP 20** – Sustainable Travel
- **LP 21** – Highway Safety
- **LP 22** – Parking Provision
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity

- **LP 51** – Protection and Improvement of Local Air Quality
- **LP 52** – Protection and Improvement of Environmental Quality
- **LP 53** – Contaminated and Unstable Land

Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and open space, to be used alongside existing SPDs previously adopted. 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 these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development. In this case the follow SPDs (and design guides) are applicable:

- Highways Design Guide
- Housebuilders Design Guide SPD
- Biodiversity Net Gain Technical Advice Note
- National Design Space Standards

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th December 2023, 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 5** – Delivering a Sufficient Supply of Homes
- **Chapter 8** – Promoting Health and Safe Communities
- **Chapter 9** – Promoting Sustainable Transport
- **Chapter 11** – Making Efficient Use of Land
- **Chapter 12** – Achieving Well-Designed and Beautiful Places
- **Chapter 15** – Conserving and Enhancing the Natural Environment

Assessment

1. Principle of 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 proposal. 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. This too will be explored.

The site is not displayed as allocated on the KLP Policies Map. Policy LP2 states that:

“All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...”

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. National planning policy requires local planning authorities to demonstrate five years supply of deliverable housing sites against their housing requirement.

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 outof-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 weighs in favour of housing development but has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officer's assessment.

Policy generally seeks to support residential development upon unallocated sites. Thus, residential development at the site could be acceptable in principle. However, Policy LP7 of the Kirklees Local Plan establishes a desired target density of thirty-five dwellings per hectare. By that standard, this site in theory, could accommodate 1.5 dwellings. Two dwellings are proposed in this instance, which is considered appropriate given the proposal is for semi-detached dwellings and is similar to the density of the surrounding properties which include terrace properties.

Paragraph 73 of the NPPF recognises that "small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should...support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes".

In respect of the above, the quantum of development is considered acceptable although a more detailed assessment of the proposal's design and its impact on the surrounding environment, assessed against Policy LP24 of the Kirklees Local Plan amongst other Policies, is undertaken below.

2 – Impact on visual amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed and beautiful places) whereby 131 provides a principal consideration concerning design which states:

"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

"a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape..."

Paragraph 134 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that

development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Relevant to this is the Kirklees Housebuilders Design Guide SPD, which aims to ensure future housing development is of high-quality design.

Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: *“New residential development proposals will be expected to respect and enhance the local character of the area by:*

- *Taking cues from the character of the built and natural environment within the locality.*
- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*
- *Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.”*

Principle 15 states that the design of the roofline should relate well to site context. Further to this, Principle 13 states that applicants should consider the use of locally prevalent materials and finishing of buildings to reflect the character of the area, whilst Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties.

The proposal is for a pair of 2.5 storey semi-detached properties with a gabled roof design which is in keeping with the existing properties surrounding the site. It is noted that residential dwellings within the street scene are varied in regard to design and scale. As such the design, scale and inclusion of two small front dormer windows and solar panels of the proposed semi-detached dwellings is considered acceptable. The proposed dwellings will be constructed from natural stone with stone slate roof coverings. This is considered acceptable as the materials are consistent with those found within the immediate street scene and complement the character, appearance, and material palette of the adjacent Shepley Conservation Area. A condition will be included to ensure sample materials of the dwellings and dormer materials are submitted to the LPA to ensure they respect the surrounding area. The proposed catslide two storey rear element is considered acceptable in visual terms, as it is appropriately subservient in scale and design and integrates well with the overall appearance of the proposed dwellings.

The proposed pair of semi-detached dwellings will front Field Head, with the side elevation forming the elevation visible from Station Road. The proposal will also project in front of the building line of properties to the north on this part of Station Road. It is noted that the immediate neighbouring dwellings to the north and east present their principal elevations to the street. Further along Station Road, however, both to the north and south, a number of properties are orientated so that their side elevations address the highway, creating a varied street pattern. The proposal is also set in from the eastern boundary by approximately 1.9 metres, providing a degree of separation

between the side elevation and Station Road. It is also relevant that the existing building to be demolished currently sits on the eastern boundary and similarly projects forward of the building line. Taking these factors into account, the siting and orientation of the proposed semi-detached dwellings are considered acceptable on balance and are not expected to result in harm to the character or appearance of the street scene. The dwellings are also set in from the side boundaries which will ensure they retain a sense of space to each side elevation.

Boundary treatments include new hedging along the eastern and northern side boundary, retention of the existing stone wall, and the construction of new stone walls along the northern rear and western side boundaries.

The retention of the existing stone boundary walls is welcomed, and the proposed introduction of additional stone walling is similarly supported by the Local Planning Authority. The proposal also incorporates hedging along the eastern and northern site boundaries, which is considered visually acceptable as it complements the existing boundary treatments within the streetscape and contributes to a softer, more attractive appearance of the development.

Whilst a parking dominated frontage is sought to be avoided by the Housebuilders Design Guide, in this case there would be an element of soft landscaping proposed to the site frontage, and there would also be planting to the rear amenity spaces that would be visible from the street. The site is currently characterised by hard standing and built form up to the boundaries, as such it is considered that the proposal would be acceptable having regard to the parking arrangements in this case.

An air source heat pump is proposed within the rear gardens of the proposal. As they will be hidden by the boundary treatment, there are no concerns to visual amenity.

It is therefore considered that the proposal would not cause significant harm to the visual amenity of the surrounding area. The proposal is therefore considered to be in accordance Policy LP24 of the Kirklees Local Plan, the aims of the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity:

Section 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 Kirklees Housebuilders Design Guide SPD states that: *“Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.”* The SPD also provides advised separation distances for two storey dwellings:

- 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.

The residential properties mostly likely to be affected by the proposed development are No. 1a Field Head, No. 7 Field Head, No. 57 Station Road, & No.s 36 a & b Station Road & 1a Lydgate Road.

No. 1a Field Head is a bungalow situated to the west of the application site. The proposed development would maintain a separation distance of approximately 5.1 metres between its side elevation, and 8 metres from the cat slide rear element to that of No. 1a, with the neighbouring property's existing driveway providing an additional buffer. Given this level of separation, and the fact that the proposal complies with the 45-degree guideline, there are no concerns regarding potential overbearing or overshadowing impacts.

The proposal includes two first floor side windows facing No.1a. One of the first floor side windows would serve a bathroom. As this window relates to a non-habitable room, there are no concerns regarding loss of privacy for the occupants of No. 1a Field Head. The other first floor side window would serve a study. As this window would look directly provide views across the roof of No. 1a Field Head which is a bungalow, there are no concerns to loss of privacy.

No. 57 Station Road is the neighbouring properties located north of the application site. A separation distance of 13.16m will be retained from the two storey element of the proposed dwellings and 11.1m from the cat-slide element. Given the separation distances in place, there are no concerns to potential overbearing or overshadowing impact.

The scheme has been revised during the course of the application to address potential privacy concerns arising from the three side-facing windows at No. 57. The proposed ground-floor rear windows are considered acceptable as they will be screened by the proposed 1.8m high hedging along the rear boundary, thereby preventing any undue loss of privacy. To ensure the effectiveness of these measures, a condition is recommended requiring details of all boundary treatments, including specifications of the proposed hedging and elevation drawings confirming its height.

The proposed first-floor study windows are annotated as obscure glazed in order to mitigate any potential overlooking and a condition will be imposed to secure this arrangement. In addition, the proposed bedroom windows will be served by rooflights, which being served by such windows would not have as easily visible outlook to neighbouring occupiers to the north east of the site. As such, the proposal is not considered to result in any unacceptable impacts on the privacy or amenity of neighbouring occupiers.

No. 7 Field Head is the neighbouring property located to the south of the application site. As the proposed dwellings will retain a minimum separation distance of 23.6m, there are no concerns to potential overlooking, overbearing or overshadowing impact.

No.s 36 a & b Station Road & 1a Lydgate Road are the neighbouring properties located south east of the application site. The proposal will retain a separation distance of approx. 17m to these properties, and as such there are no concerns to potential overbearing or overshadowing.

The proposal includes two first floor side-facing windows which face towards Nos. 36a and 36b Station Road and 1a Lydgate Road. One of these windows would serve a bathroom, which is a non-habitable room, and therefore it is not considered to give rise to any unacceptable overlooking or loss of privacy for the occupants of the neighbouring properties. The second first-floor side window would serve a study and would provide views towards Nos. 36a and 36b Station Road and 1a Lydgate Road. Whilst it is acknowledged that the separation distance between this window and the neighbouring properties would be approximately 17 metres, falling below the recommended 21-metre distance, the shortfall is considered relatively minor. Given the limited degree of harm identified, it is not considered that the proposal would result in a significant loss of privacy or overlooking sufficient to warrant refusal of the application. The impact is therefore considered acceptable.

To ensure residential properties are protected from noise, the applicant should be made aware of construction hours in order to protect residential amenity and will be added by informative.

It is noted that air source heat pumps (ASHP) are proposed. A condition will be included to ensure the ASHP proposed is installed in line with the noise standards set out in the document 'MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises. This condition will ensure the noise of the ASHP is suitably controlled and will not exceed existing background noise levels.

The proposal is therefore concluded to be acceptable having regard to principle 6 of the Kirklee Housebuilders Design Guide, and Policy LP24 b) of the Kirklees Local Plan.

Amenity of the Proposed Occupiers

Principle 16 of the Housebuilders Design Guide SPD states that: *“All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan.”* Further to this, Principle 17 of the Kirklees Housebuilders Design Guide SPD outlines that: *“All new houses should have adequate access to private outdoor space that is functional and proportionate to the size of the dwelling and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces.”*

The proposed dwellings (2.5 storey, 3 bed, person), measure 130sqm and therefore meets the required 99/108sqm recommendations as set out within the NDSS for such a dwelling. The proposed gardens are also considered to be a commensurate size for a dwelling of this scale. It is considered the proposed windows would have sufficient outlook and natural light for the amenity of future occupants. It is acknowledged that Bedroom 3 within each dwelling would be served solely by two rooflights and, as a result, would have a more limited outlook than the other habitable rooms. However, the rooflights would provide adequate levels of natural daylight and sunlight, ensuring that the rooms offer an acceptable standard of amenity for future occupants. Accordingly, the living accommodation provided within these bedrooms is considered acceptable.

It is acknowledged that an application has been submitted at No.1a Field Head for the erection of a detached garage that is currently under consideration and not yet been determined. If this proposal was to be accepted, given that the garage is single storey and set in from the shared side boundary, it is not considered that the proposal would have any adverse impact on the garden areas of the future occupiers of this proposal.

Taking the above into consideration the impact on residential amenity is considered acceptable on balance and it is considered that the proposed development complies with Local Plan Policy LP24(b), the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Paragraph 115 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.”*

Policy LP21 of the Kirklees Local Plan states that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users.

KC Highways have reviewed the proposal.

Three-bedroom dwellings are proposed on the site, and the Kirklees Highways Design Guide SPD states that at least 2 on-site spaces are required for dwellings with 2-3 bedrooms. The proposal shows 2 on site parking spaces to the front of each dwelling which is accepted.

The proposed vehicle parking areas will need to be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas). This will be conditioned as such.

The changes to the access within the adopted highway fronting the property, to provide a dropped kerb, will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). This will be added as an informative.

Suitable bin storage and collection points are shown on plan which are considered acceptable.

There is an existing vehicle access and dropped kerb to the site on Station Road. This access will be made redundant as part the proposal and, as a result, the access will need to be permanently closed and the footway along this frontage reinstated with a full kerb. The reinstatement of the footway will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). The applicant is required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution. This will be added as an informative.

Subject to the aforementioned conditions and informative note, it is therefore considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF.

5 – 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.

The proposal includes the installation of solar panels and air-source heat pumps which will reduce the dwelling's carbon footprint. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

Ecology

Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The submitted application form outlines that the application falls under the de-minimis exemption as the proposal will be constructed on existing hardstanding. Therefore, BNG is not required under this application. This is accepted by the LPA following the Officer site visit and observations on site.

As a result of the existing outbuilding being demolished to facilitate the proposed development and as the site is located within a bat layer, the agent submitted a bat survey and has been reviewed by KC Ecology. KC Ecology are satisfied with the information contained within the report. The report confirms that the building has Moderate suitability for roosting bats, and 2 emergence surveys were undertaken within the peak bat activity period. These concluded that there is a low level of bat activity onsite, and no bats were observed roosting within the building. However, as the building does have suitability for bats, a condition will be recommended to ensure a Precautionary Working Method Statement (PWMS) for bats is submitted as well as a condition for a Biodiversity Enhancement Plan to be submitted in order to finalise the details of the enhancements identified in Section 6.3 of the Bat Survey Report (Middleton Bell Ecology, June 2026).

If any lighting is to be erected, this will need to be agreed with Local Planning Authority to ensure any lighting will not impact upon ecological networks and/or sensitive features. This will be conditioned as such.

The submitted information is therefore considered acceptable in terms of ecology and would comply with Policy LP30 of the Kirklees Local Plan and Principle 9 of the Kirklees Housebuilders Design Guide SPD.

Contaminated Land

Policy LP53 of the Kirklees Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The site is not on land identified as potentially contaminated. As such, if any land contamination is encountered during construction works, a condition will be implemented to ensure the applicant reports any unexpected land contamination.

The application site falls within the defined Development Low Risk Area (by the Mining remediation Authority) and as such raises no concern in this regard.

As such, subject to the inclusion of aforementioned conditions the proposal complies with policy LP53 of the Kirklees Local Plan.

Public Right Of Way

Bridleway KIR/188/30 runs adjacent the site frontage on Field Head. The proposal will not result in any obstruction to the existing bridleway and therefore raises no concerns. Informative will be added to ensure the bridleway remains open and unobstructed.

6 – Representations:

The application has been advertised by site notice and the press. Publicity expired on 6th March 2026. Six letters of representation have been received. The comments have been summarised below and addressed:

- Reversing vehicles in or out of the designated parking areas onto Field Head presents a hazard
- The proposed access and visibility raises highway safety concerns
- The proposal could impact on safe pedestrian routes along the site frontage close to the proposed drives.
- The proposal will increase on street parking.

Officer comment: the proposed development has been reviewed by KC Highways and they consider the development acceptable and as such there are no highway safety concerns.

- All other buildings along Station Road front onto the main road - it would be out of character to have the side of the house facing Station Road.

Officer comment: This comment is noted and has been addressed within the section 2 of this report.

- The proposals would result in overshadowing to neighbouring properties.
- Height of dwelling will affect neighbouring view.
- The proposals will result in loss of privacy and overlooking impacts to neighbouring properties.

Officer comment: The above comments are noted and have been addressed within the section 3 of this report.

- No bat survey submitted. Concern of ecological impacts.

Officer comment: Bat surveys have been submitted by the agent and reviewed by KC Ecology who considers the information contained within the reports to be acceptable. The ecological impact of the development is considered acceptable, as detailed within section 5 of this report.

- The proposed boundary fence along the east side elevation raises visual, residential amenity and highway safety concerns.

Officer comment: This comment is noted, the proposed boundary fence has been removed from plan and replaced with hedging.

Kirkburton Parish Council – No comment.

Officer comment: The response of Kirkburton Parish Council is noted.

7 – Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2026/90193

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP7, LP20, LP21, LP22, LP24, LP28, LP30, LP51, LP52 and LP53 of the Kirklees Local Plan, the adopted Housebuilders SPD and Chapters 5, 8, 9, 11, 12, 14 and 15 of the National Planning Policy Framework.

3. Notwithstanding the submitted details, development above slab/foundation level shall not commence until a scheme detailing all external walling and roofing materials to be used in the construction of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the external materials of construction of dormer features to the roof. The development shall not be brought into use until the approved scheme has been completed. No materials other than those approved in accordance with this condition shall be used which shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of visual amenity to accord with Policy LP 24 of the Kirklees Local Plan, The Kirklees Housebuilders Design Guide SPD and policies contained within Chapter 12 of the National Planning Policy Framework.

4. The development shall not be occupied until the rear windows serving the room annotated as 'study' upon submitted drawing ref: 25060D-03-P04 have been fitted with obscure glazing or permanently affixed film which achieves an obscurity of Pilkington level of four or equivalent. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order) The obscure glazing or permanently affixed film shall thereafter be retained for the lifetime of the development.

Reason: To prevent overlooking to the neighbouring properties and to accord with Policy LP24 of the Kirklees Local Plan the Key Design Principles of the Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.

5. Notwithstanding the plans submitted, the development shall not be brought into use until a scheme detailing the boundary treatment of the site has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include details of the location, heights and materials of the proposed boundary enclosures. The development shall not be brought into use until the works comprising the approved scheme have been completed. The scheme shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of residential amenity of neighbouring occupiers, visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, principles 5 and 6 of the Council's adopted Housebuilders Design Guide SPD and Policies within Chapter 12 of the National Planning Policy Framework.

6. The dwellings hereby approved shall not be occupied until all areas indicated to be private drives and parking areas are laid 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 as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for parking thereafter.

Reason: In the interests of visual amenity and traffic safety, to mitigate flood risk arising from surface water run-off, to ensure adequate space within the site for vehicle movements and parking and to comply with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 9 and 12 of National Planning Policy Framework.

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 lighting will not impact upon ecological networks and/or sensitive features. External lighting shall be installed in accordance with the specifications and locations set out within the approved lighting scheme and retained thereafter.

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

8. 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: In the interests of biodiversity and in accordance with Policy LP30 and policies within Chapter 15 of the National Planning Policy Framework 2024.

9. A Biodiversity Enhancement Management Plan (BEMP) must be submitted to the Local Planning Authority prior to the commencement of above ground works on-site. 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 BEMP has been completed, which shall be retained thereafter.

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

10. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works 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 in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been 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. 189 and 190 of the National Planning Policy Framework.

11. The Air Source Heat Pumps annotated upon drawing 25060D-02-P05 shall be installed in accordance with the noise standards set out in the document 'MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises' and retained as such thereafter.

Reason: to ensure the development has an acceptable impact as a result of noise emissions to accord with policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway and the changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof

- Standard charging points for single residential properties that meet the requirements specified in the latest version of “Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)” by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet would be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

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: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have

the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

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 work may be carried out.

NOTE: Public bridleway KIR/188/30 should remain free and available to be used prior to, during or after development works. The Council's public rights of way unit may be contacted by telephone 01484 221000 and ask for Sharon Huddleston or via the email address publicrightsofway@kirklees.gov.uk

Plans and Specifications Table:

Plan Type	Reference	Version	Date Received
Location Plan	25060D-01-P01		22/01/2026
Proposed Site Plan	25060D-02-P05		01/07/2026
Proposed Floor Plans	25060D-03-P04		01/07/2026
Proposed Elevations	25060D-04-P02		01/07/2026
Proposed 3D Views	25060D-05-P02		01/07/2026
Proposed Street Scene Elevations	25060D-06-P04		01/07/2026
Design and Access Statement			22/01/2026
Climate Change Statement			22/01/2026
BNG Exemption Statement			22/01/2026
Bat Survey Report	MBE/BAT/2026/025/02		16/06/2026

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 has, 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 applicant was asked to submit a bat survey report, which was reviewed by KC Ecology and considered acceptable. The case officer raised concern in regard to the boundary treatment and the impact of loss of privacy to neighbouring occupants. The agent therefore revised the plans to include hedging and a cat sliding two storey rear element which was considered acceptable.

Report Dated: 01/07/2026