

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:	2026/62/90533/W
Site Address:	Netherwood Farm, Netherwood Lane, Marsden, Huddersfield, HD7 6AT
Description:	Raising of roof height and alterations to convert existing agricultural barn to create dwelling forming annex accommodation associated with Netherwood Farm, Netherwood Lane, Marsden, Huddersfield, HD7 6AT (Listed Building)
Recommending Officer:	Joanna Rednall

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 August 2026

The Site

The site refers to Netherwood Farm, a stone two storey farmhouse with attached barn on the northern end of the farmhouse. It is a remote site accessed by a track off Marsden Lane. There is an existing area of hard standing in the south west corner of the site to the rear of the building which is used for parking of vehicles. To the front, in the north east part of the site is an existing stone boundary wall.

The property is Grade II Listed and the list entry is as follows:

1785 (datestone). Farmhouse and barn in one range. Coursed rubble, pitched stone slate roof. Gable stack. 2 storeys. East elevation has: Ground floor; One 6-light stone mullioned window (recessed) with King mullion; One 3-light stone mullioned window (recessed). First floor; Two 3-light stone mullioned windows (recessed); One 4-light stone mullioned window (recessed). South West gable has: Datestone over door- way which reads: B H M H 1 7 8 5 Barn: East elevation has: Large central doorway with large lintel, stone surround and tiestones. Small doorway with large lintel and quoinstones. Large rough plinthstones.

The site is designated Green Belt on the Kirklees Local Plan map.

The Proposal

The applicant is seeking planning permission for raising of roof height and alterations to convert existing agricultural barn to create dwelling forming annex accommodation associated with Netherwood Farm, Netherwood Lane, Marsden, Huddersfield, HD7 6AT (Listed Building).

The development would increase the height of the north-facing element of the building by 0.6m, reaching a total height of 7.1m.

The proposed alterations include the following:

Front elevation

- Two new first floor windows, two existing openings reconfigured to form one opening.
- Three new roof lights
- To the ground floor, three door and three window openings reinstated, along with an additional window

Rear elevation

- To the first floor, two openings would be reconfigured and reinstated along with two new openings.
- Three new roof lights

- To the ground floor the existing door opening would be reinstated. Four windows are proposed.

Side elevation (south facing)

- Two ground floor windows are proposed. No alterations are proposed to the north facing side elevation.

History of Negotiations

Following discussions with the Council's Conservation and Design Officer, the scheme was amended to reduce the size of the proposed openings and omit the rear extension.

Planning History

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

2014/92232: Listed Building Consent for installation of external stainless steel flue – Consent granted

2017/92378: Erection of extensions and alterations to existing barns to create dwelling forming annex accommodation associated with Netherwood Farm, Netherwood Lane, Marsden, Huddersfield, HD7 6AT (Listed Building) – Conditional full permission

2017/92479: Listed Building Consent for erection of extension and alterations to existing barns to create dwelling forming annex accommodation associated with Netherwood Farm, Netherwood Lane, Marsden, Huddersfield, HD7 6AT – Consent granted

2025/92716: Listed Building Consent for replacement windows and external door with associated alterations – Consent granted

Publicity & Representations

The application has been advertised in accordance with the Council's adopted Development Management Charter which incorporates the requirements of article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

The application has been publicised as affecting the setting of a listed building and affecting a public right of way on the Council's website, by neighbour notification, site notice and by press advertisement.

Final publicity date expired: 29 May 2026.

No representations were received as a result of the publicity.

No representations were received as a result of the publicity. The amended plans were not re-publicised as these did not fundamentally change the

development applied for; the description of development was altered as the extension has been removed.

Parish/ Town Council Comments

N/A.

Consultations

KC Ecology:

It has been noted in the Bat Survey Report (Preliminary Bat Roost Assessment) that the building has moderate potential for roosting bats and that there has been a historical roost in the building that was noted in August 2017. The building also holds potential for nesting birds, and nests were noted in the smaller section of the barn.

During this bat roost inspection, no evidence of bats was noted. 2no presence / absence surveys are schedule in June and July this year and must be completed prior to determination.

Recommendations for roofing membrane design, lighting strategy, and pre-works checks have been provided. Conditions will be finalised once the bat surveys are completed.

WY Archaeology Advisory Service:

Comments have been received raising no objection to the proposal, subject to a condition requiring the submission and approval of a Written Scheme of Archaeological Investigation.

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

Allocation & Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The application site is designed Green Belt within the Kirklees Local Plan and also falls within a bat alert layer with records of bat roosting at the site.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

LP1 Achieving Sustainable Development

- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity and Geodiversity
- LP35 Historic Environment
- LP51 Protection and Improvement of Local Air Quality
- LP52 Protection and Improvement of Environmental Quality
- LP53 Contaminated and unstable land
- LP57 The extension, alteration or replacement of existing buildings
- LP60 The re-use and conversion of buildings

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

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

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 2 Achieving sustainable development
- Chapter 9 Promoting sustainable transport
- 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
- Chapter 16 Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)
Kirklees Highway Design Guide (November 2019)

Legislation

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

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

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'

Assessment

1 – Principle of development:

Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

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

Land allocation – Green Belt

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

Policy LP60 of the Kirklees Local Plan states that proposals for the conversion or re-use of buildings in the Green Belt will normally be acceptable where;

- a) the building to be re-used or converted is of a permanent and substantial construction;
- b) the resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape, including through the treatment of outside areas such as means of access and car parking, curtilages and other enclosures and ancillary or curtilage buildings;
- c) the design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting and the activity can be accommodated without detriment to landscape quality, residential amenity or highway safety

The building is a grade II Listed building located off Netherwood Lane in Marsden. In respect of the openness of the Green Belt, openness has been established to have both a visual and spatial aspect. The proposal seeks planning permission for convert existing agricultural barn to create dwelling forming annex accommodation. The proposed works comprise primarily minor external alterations, including changes to fenestration and existing openings. The scheme is to a building of permanent / substantial construction and would be used in conjunction with an existing residential element of the site such that it would significantly increase further domestic / urban characteristics. A condition relating to materials of construction to ensure they match the existing would be recommended. As such the proposal is considered to accord with policy LP60.

The development would involve a modest increase in the ridge height of part of the building. However, this increase is limited to approximately 0.6 metres and is not considered to represent a disproportionate addition. The original building would remain the dominant element in terms of its scale, form and appearance.

A condition requiring all external materials to match those of the existing building is recommended should planning permission be granted. Subject to this condition, the proposal is considered to preserve the character and appearance of the host building and complies with Policy LP57 of the Kirklees Local Plan. Furthermore, the building is to be converted to a substantial dwelling and would not introduce incongruous domestic or urban characteristics into the landscape, which is assessed in more detail below. For these reasons, the proposal is considered to accord with Policy LP60 of the Kirklees Local Plan.

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

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout

and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Netherwood Farm occupies a relatively remote location; however, its principal front elevation is a prominent feature within the surrounding landscape owing to its elevated hillside position. It is also surrounded by a network of PROWs.

The Council's Conservation Officer initially raised concerns regarding the proposals as originally submitted, advising that, when considered cumulatively, the proposed rear extension together with the extent of the proposed window alterations would result in harm to the architectural significance of the Grade II listed farmstead. In particular officers considered the combination of the extension and the number and scale of alterations to the existing fenestration was considered to erode the building's traditional agricultural character.

Following these comments, the application was amended to address the identified concerns. The revised scheme omits the proposed glazed rear extension and reduces the width of the proposed openings to the front elevation, thereby limiting the extent of alterations to the historic fabric. As amended, the proposals are considered to preserve the architectural significance of the listed building and satisfactorily address the Conservation Officer's initial concerns.

The revised scheme has also sought to minimise the number of new openings, which are limited in scale and designed to avoid the excessive domestication of this traditional farmhouse and barn building. The proposals are therefore considered to accord with the principles set out in *English Heritage's A Guide to Good Practice for the Conversion of Traditional Farm Buildings*, which advises that alterations should be kept to the minimum necessary to secure a viable new use while respecting the building's agricultural character.

The proposal will secure a viable long-term use for the listed building, ensuring its continued maintenance and conservation, whilst also providing one additional dwelling. Conditions will require all new windows and rooflights to be constructed in painted timber and detailed in a traditional conservation style to safeguard the character and appearance of the listed building.

Overall, it is considered that the proposal would result in less than substantial harm to the significance of the Grade II listed building. In accordance with paragraph 215 of the National Planning Policy Framework this harm has been weighed against the public benefits of the proposal. Those benefits include securing the long-term viable use and ongoing maintenance of the heritage asset, together with the delivery of an additional dwelling. It is considered that

these public benefits clearly outweigh the identified less than substantial harm.

As established in the assessment of the principle of development, the proposed first-floor extension is considered to be visually acceptable. The extension would be set down from the ridge of the host dwelling, ensuring it remains subordinate in scale and appearance. It would also be finished in materials that match the existing property.

With regard to the external associated space, west, to the rear the application buildings, this currently provides an adequate amenity area including car park and turnaround areas. The extent of the domestic curtilage is shown to be enclosed with a dry stone wall. To restrict the sprawl and encroachment into the greenbelt beyond the associated domestic curtilage, it is considered necessary to include a condition for the dry stone wall to be provided along the full boundary of the red line as shown on the proposed site block plan prior to occupation of the barn/annexe.

Accordingly, the proposal is considered to comply with Policy LP35 of the Kirklees Local Plan, Policy LP24 in respect of design quality, Chapter 12 of the NPPF, and the statutory duty under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which requires special regard to be given to the desirability of preserving the listed building, its setting and those features which contribute to its special architectural and historic interest.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers.

Due to the siting of the external alterations proposed, officers do not consider the new fenestration/openings would result in any additional harm to the neighbour's residential amenity with regard to overbearing, overshadowing, or overlooking impact.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

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

The proposed development would utilise the existing vehicular access and parking arrangements serving Netherwood Farm and would not require any alterations to the access or internal highway layout. The submitted site plan

demonstrates that four existing parking spaces and adequate turning space would be retained within the site. Kirklees Council Highways Development Management previously reviewed the same access and parking arrangements under application reference 2017/92378 and raised no objections. Given that the proposal comprises ancillary annex accommodation associated with the existing farmhouse, it is considered that the existing parking provision is sufficient to accommodate both the main dwelling and the proposed annex. The development would also utilise the existing arrangements for access, parking and refuse collection.

Two Public Rights of Way (COL177-60 and COL177-70) cross the site, with Public Footpath COL177-70 sharing part of the existing access track to Netherwood Lane. Whilst the proposal would result in a modest increase in the use of this shared access, it is acknowledged that increased vehicle movements on a route used by pedestrians are not in principle beneficial to Public Right of Way users. A standard informative is therefore recommended on any decision notice to advise the applicant that the Public Rights of Way must not be obstructed or closed without the prior written consent of the local planning authority.

Notwithstanding the above, the existing access track already serves vehicular traffic associated with the farmhouse. The proposal would generate only a limited number of additional vehicle movements associated with a single ancillary residential annex and is not considered likely to materially increase traffic levels or give rise to an unacceptable impact on the safety or convenience of PROW users. Accordingly, the proposal is considered capable of being accommodated without detriment to highway safety or the safe and convenient use of the PROW and is therefore acceptable in this regard.

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

5 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

The application is supported by a Bat Survey Report dated 15 April 2026. The survey identified no bats or evidence of bat activity during the inspection. However, it confirmed that a previously recorded bat roost location within the building remains present and viable. Although no bats were recorded, the building contains a number of potential roost features and is situated within

habitat considered to be suitable for bats. Accordingly, the building was assessed as having moderate bat roost suitability.

The report recommends that two further nocturnal emergence/re-entry surveys are undertaken to establish the presence or likely absence of roosting bats before any works commence. It also recommends that any external lighting associated with the development is kept to a minimum and designed in accordance with the guidance published by the Bat Conservation Trust and the Institute of Lighting Professionals (2023). In particular, lighting should not be directed upwards or result in light spill onto the identified roost location.

Subject to condition ensuring that all mitigation measures and recommendations set out within the Bat Survey Report are implemented, the proposal is considered to provide appropriate safeguards for protected species. The development is therefore considered to accord with Policy LP30 of the Kirklees Local Plan and the objectives of Chapter 11 of the National Planning Policy Framework.

A Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission for minor sites granted pursuant to an application submitted after 02 April 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicant has stated the application falls under the 'Di-Minimus' exemption category within the application forms. Therefore, in light of the submitted detail it is considered the application is exempt from a BNG uplift.

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 pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

Drainage

The site lies in a ground water protection zone as identified on the Council's GIS system. The proposals are to be served by a septic tank. Previous advice given by the Council's Environmental Health Team under application reference 2017/92378 set out concerns regarding foul water disposal in terms of the capacity and condition of the existing septic tank to cope with what is effectively a doubling in size of this property and a condition relating to details of the septic tank to be submitted to the LPA. This condition is necessary to ensure satisfactory foul water disposal in the interests of public health and environmental protection, in accordance with Policy LP28 of the Kirklees Local Plan.

Contaminated Land

Kirklees Council Environmental Health previously provided comments in relation to application reference 2017/92378 and recommended the imposition of planning conditions. Whilst the site is not identified as being on potentially contaminated land, there remains the potential for localised contamination associated with the former agricultural use of the barns.

Accordingly, a condition requiring the reporting and appropriate remediation of any unsuspected contamination encountered during the course of development is recommended. Officers consider this approach to be reasonable and proportionate to the nature and scale of the proposal and necessary to safeguard human health and the environment, in accordance with Policy LP53 of the Kirklees Local Plan and the relevant policies within Section 15 of the National Planning Policy Framework.

6 – Representations:

None received

7 – Conclusion:

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

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

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2026/90533

Officer Recommendation: Approve

Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework.

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

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02, LP24, LP35 & LP57 of the Kirklees Local Plan and policies within Chapter 12, 13 and 16 of the National Planning Policy Framework.

4. New windows shall be timber framed with a painted finish and set back in the reveal by 100-125mm and not fitted flush with the external wall. Obscured glazing shall have a plain etched finish and not be in patterned glass. The windows and glazing so approved by this condition shall be retained thereafter.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

5. The rooflights hereby approved shall be Conservation style or similar and fitted flush to the roof plane. Glazing shall have a thickness of no more than 16mm at 4:8:4 ratio. The rooflights approved by this condition shall be retained thereafter.

Reason: In the interest of preserving the heritage value of the Conservation area, in accordance with the requirements of Policy LP35 of the Kirklees Local Plan Chapters 2, 12 and 16 of the National Planning Policy Framework and pursuant to the requirements of S16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. The hereby approved annex accommodation shall not be occupied until a dry stone wall has been erected no higher than 1.5m to define the extent of the domestic curtilage, as annotated on the approved proposed block plan Ref 'JOB NO 1730'. Thereafter the wall shall be

retained in this position.

Reason: To protect the openness of the Green Belt to avoid the development encroaching into the countryside and to accord with Policy LP 57 (c) of the Kirklees Local Plan and guidance in Chapter 13 of the National Planning Policy Framework .

7. The development shall be carried out and completed in accordance with the mitigations/recommendations as set out in section 6.2 of the accompanying Bat Survey Report dated 15th April 2026 prepared by Middleton Ecological Consultancy.

Reason: To protect the ecology of the site in accordance with the aims of Policy LP30 of the Kirklees Local Plan as well as the aims of Chapter 11 of the National Planning Policy Framework.

8. No demolition/development shall take place/commence until a written scheme of archaeological investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: To record any important archaeological evidence in the form, date, construction and use of the listed building in order to advance understanding and significance of heritage assets in accordance with paragraph 218 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan.

9. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Unless otherwise approved in writing with the Local Planning Authority, works on site shall not recommence until either (a) a Remediation Strategy 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 Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved

in writing with the Local Planning Authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and policies within section 15 of the National Planning Policy Framework.

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

NOTE: The public footpath nos. COL/177/60 and COL/177/70 which runs almost the full length of the access from Marsden Lane and crosses the site in front of the building shall not, at any time, prior to, during or after construction of the dwellings, be unofficially obstructed or closed without prior written consent of the Local Planning Authority.

NOTE: The responsibility for securing a safe development rests with the developer and/or landowner. It is advised where a site could be affected by land stability issues this be taken into account and dealt with appropriately by the developer and/or landowner

NOTE: The granting of planning permission does not override any private ownership rights or legal covenants that apply to the land forming part of this planning application.

NOTE: This application permission be read in conjunction with listed building consent 2026/90534

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	1730	-	02/03/2026
Existing Plans – Floor Plans	1730 01	A	24/02/2026
Existing Plans – Elevations	1730 01	A	24/02/2026
Proposed Site Plan	1730	-	24/02/2026
Proposed Detailed	1730 04	D	03/08/2026

Plan Type	Reference	Version	Date Received
Elevations and Section A-A			
Proposed Detailed Plans	1730 03	D	03/08/2026
Bat Survey Report dated 15 April 2026	MBE/BAT/2026/035/01	-	16/04/2026
Heritage Statement dated February 2026	-	-	24/02/2026
Design and Access Statement dated February 2026	-	-	24/02/2026
Climate Change Statement	-	-	02/03/2026
Application Form	-	-	02/03/2026

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 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. Amended plans were submitted during the course of the application.

No coal

