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:	**2026/62/91359/W**
Site Address:	Moss Edge Farm, Moss Edge Road, Holmbridge, Holmfirth, HD9 2SD
Description:	Erection of agricultural building and access track
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: 24th July 2026

The Site

The site comprises a sloping parcel of land located to the south of Moss Edge Road, an unadopted highway. The site forms part of an open hillside, with ground levels falling towards the east. It occupies a relatively isolated rural location, with the nearest residential property, Moss Edge Farm, situated approximately 250m to the west. The site is surrounded by open agricultural fields, with White Gate Wood located to the east, and the site lies within the Green Belt as designated in the Kirklees Local Plan. It is not within a Conservation Area and there are no Listed Buildings nearby.

The Proposal

The applicant is seeking planning permission for erection of agricultural building and access track.

The proposed building measures 12.1m in depth by 18.2m in width, with an eaves height of 4.2m and a ridge height of 5.4m. The submitted floor plans show that the building will accommodate 24 lambing pens, together with areas for hay and straw storage. Openings are proposed on the south-east and north-west elevations.

The external walls will comprise 140mm concrete blockwork/panels to the lower section, with olive green profiled metal cladding above. The roof will also be finished in olive green profiled metal cladding, and the rainwater goods will be aluminium.

Access to the building will be provided via an existing approximately 100m-long crushed stone track, which connects to Moss Edge Road.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Planning History

There is no planning history for the site which is considered relevant to the current proposal.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice.

Final publicity date expired: 2 July 2026

No representations were received as a result of the publicity.

Parish/ Town Council Comments

Holme Valley Parish Council: State that they support, but with the condition that it remains an agricultural building.

Consultations

KC Ecology: Recommends conditions including a BNG informative, lighting strategy, CEMP, and habitat management and monitoring plan.

KC Environmental Health: No objection subject to land contamination conditions.

KC Highways Development Management: No objection.

Peak District National Park: The development proposed is approx. 550m from the boundary of the National Park. The building proposed is not within an existing farmstead and therefore would not align with the National Park Authority's policies for new agricultural buildings in this respect and it is unclear why the proposed building cannot be sited closer to the existing farmstead which would provide access to services, water and, during lambing, would allow for closer observation. This would also remove the requirement for an additional track across the natural landscape. It is also unclear how close the building is sited to the ancient woodland -Moss Edge Wood- and although outside of the National Park, any impacts to the woodland could erode the visual, wildlife and biodiversity benefits on its boundary.

If the application is to be approved, we would urge careful consideration of any external lighting if this is deemed required as it could potentially impact the dark skies and natural environment in this rural area.

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) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The site is within the Green Belt upon the Kirklees Local Plan and falls within Landscape Character Area 3 (LCA 3: Hade Edge Upland Pastures) within the Holme Valley Neighbourhood Development Plan.

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
LP53 Contaminated and unstable land
LP54 Buildings for agriculture and forestry

Holme Valley Neighbourhood Development Plan

The following policies of this plan are considered most relevant:

Policy 1 – Protecting and Enhancing the Landscape Character of the Holme Valley
Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
Policy 12 – Promoting Sustainability
Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

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: -

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

Supplementary Planning Guidance

Kirklees Highway Design Guide (November 2019)

Holme Valley Neighbourhood Development Plan

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.

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 site is designated Green Belt on the Kirklees Local Plan. The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the exceptions set out in paragraph 154 and 155. Paragraph 154 sets out that buildings for agriculture and forestry could be appropriate exception.

Policy LP54 of the Kirklees Local Plan is consistent with advice within the National Planning Policy Framework. Policy LP54 relates to the buildings for agriculture and forestry in the Green Belt. It states that these will normally be acceptable, provided that:

a) *the building is genuinely required for the purposes of agriculture or forestry;*
a) *) the building can be sited in close association with other existing agricultural buildings, subject to the operational requirements of the holding it is intended to serve. Isolated new buildings will only be accepted exceptionally where there are clear and demonstrable reasons for an isolated location;*

b) *there will be no detriment to the amenity of nearby residents by reason of noise or odour or any other reason; and*
c) *the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting."*

Policy 1 of the Holme Valley Neighbourhood Development Plan states that 'all agricultural buildings in the Green Belt should comply with Kirklees Local Plan Policy LP54 and should have appropriate screening and landscaping. Buildings should use neutral colours and tones to reduce visual impact'.

In addition, Policy 1 also sets out that development proposals should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), Hade Edge Upland Pastures (LCA3). Amongst other things LCA3 identifies key landscape characteristics such as, the open landscape which has long distance views of the settled corridor of the River Holme and Kirklees District beyond, as well as local views of open water bodies such as Boshaw Whams and Holme Styes. A network of Public Rights of Way follows local lanes or field boundaries. Minor roads and PROW, including sections of the Kirklees Way and the Barnsley Boundary Walk long distance footpaths, connect farmsteads located on the valley sides. National Cycle Route no. 68 also passes through this area. Key built characteristics of this area include dispersed settlements which are characterised by their former domestic textile manufacturing, mill buildings and agricultural heritage along with isolated farmsteads set within an upland agricultural landscape. As well as vernacular building materials which include millstone grit in properties and boundary walls.

Whether the proposal is inappropriate development in the Green Belt

The application is supported by a Planning Statement, which explains that Moss Edge Farm was historically a traditional hillside farm comprising a farmhouse and a number of stone-built agricultural buildings. The applicant has since resumed farming, which currently supports around 100 sheep, with flock numbers expected to increase following the lambing season. The holding has no permanent agricultural building to provide livestock shelter or storage for feed, bedding, machinery and equipment, nor a covered space for veterinary treatment and routine livestock management.

The proposed agricultural building and associated crushed stone access track would occupy approximately 677m² and would be located close to Moss Edge Farm House, allowing the applicant to supervise livestock effectively. The building would primarily be used for lambing, providing 20 lambing pens together with hay and straw storage, and would also accommodate routine farming activities including shearing, veterinary treatment, tagging, segregation and worming.

The Planning Statement has justified the scale, siting and design of the proposed building: *"The proposed development has been carefully positioned*

to ensure it is a sufficient distance from habitable dwellings and easily accessible from the associated fields containing livestock.

The proposed development is positioned in a natural undulation in the landscape and is flanked to the west by a existent quarry face and flanked to the East by an established woodland. Access is served via Moss Edge Road.

It is acknowledged this building will be in isolation, however, given the proximity of the housing to the West it is deemed the proposed location is the most suitable and will mitigate any noise or odour transfer to the existing properties and will not be prominent on the landscape whilst providing this essential building.

The proposed building is designed to serve its intended purpose and is modest in terms of its size. The proposed building is to be clad in olive green profile metal sheeting (RAL 6003) with concrete block dwarf walls – typical of any agricultural building. The gable elevations allow for livestock entry and exit and allow air circulation through the building.

The building has a height of 17' 8" (5420mm) and an eaves height of 14' (4275mm). This enables the two front facing openings to be a minimum of 12' high which will enable ease of tractor access. The openings will have stock gates fitted with permeable screens above to keep out adverse weather yet allow sufficient ventilation for the housed livestock to help prevent respiratory diseases. The two openings will ensure a good level of cross flow ventilation."

As such, it is considered that a genuine need for the building for the purposes of agriculture has been demonstrated. Therefore, the proposal would fall under exception a) of paragraph 154 of the NPFF and would comply with LP54(a) of the Kirklees Local Plan.

Whether there would be any other harm to the Green Belt, including visual amenity

In respect of the openness of the Green Belt, openness has been established to have both a visual and spatial aspect. As outlined above, the proposal introduces built development; therefore, there would be a resultant impact upon the openness of the Green Belt. Furthermore, the site is surrounded by open fields on three sides in an area relatively free from urban development, thereby contributing to the rural character of the locality.

Policy LP24 (Design) 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;*
a) *they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between*

housing and employment uses incorporating means of screening where necessary;"

With regard to Policy LP54(b), the proposed building would be separated around 0.25km from the existing buildings at Moss Edge Farm, which are now in residential use. The site is located within a valley landscape, set into the hillside and in proximity to established woodland to the east, with an existing quarry face to the west helping to screen the development. The barn has been orientated in a way which will allow for ease of access and to utilise the existing access point. Its position and proposed olive-green finish would minimise the developments visual prominence, and the materials can be secured by condition. As set out in the Planning Statement, the building would be located close to the applicant's residence, allowing management of the holding without resulting in unacceptable noise or odour impacts on nearby properties. The distance will allow a suitable balance between close access to the barn and ensuring a suitable distance in relation to the protection of amenity of neighbours. Therefore, there are clear and demonstrable reasons to justify the proposed location in this instance.

The setting of the building within the land level is clearly set out in the submitted plans with the building requiring some level of building up to ensure a level access and floor level internally. This is demonstrated upon the submitted elevation. The level of underbuild is not considered excessive and it is considered the visual impact of the development would not be significant in this regard. Any approval would be subject to a condition requiring the scheme is implemented in accordance with the submitted plans which would suitably control this element of the scheme.

With regard to Policies LP54(c) and LP24(b), the proposal is considered to have no significant impact on residential amenity. The building is appropriately sited in relation to surrounding residential properties, ensuring there would be no unacceptable impacts arising from noise, odour, or other amenity considerations. KC Environmental Health has been consulted and has raised no concerns regarding potential noise or odour impacts on nearby residents.

With regard to Policies LP54(d) and LP24(a), the proposed building would be constructed using concrete block/panels to the lower elevations, with olive green profiled cladding above and an olive green profiled cladding roof. The proposed materials are considered appropriate and practical for the agricultural use of the building, while also being typical of agricultural buildings.

Taking all of the above into consideration, it is concluded that there is a genuine need for the new agricultural building proposed and that the scheme is in line with Local Plan Policies LP10, LP24 and LP54 and the guidance contained within the National Planning Policy Framework. In addition, it is concluded the proposal scheme appropriately accords with Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan.

2 – 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.

Policy 2 of the HVNP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

The development would be around 250m east of Moss Edge Farm and around 280m west from Lower Whitegate Farm. Given the nature of the proposals, and the large separation distances proposed, Officers have no concerns in respect of overshadowing, overlooking or the proposals appearing overbearing on these neighbouring dwellings.

Policy LP52 is considered to be of relevance and sets out that development which has the potential to increase pollution from noise must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level.

Taking into consideration noise and odour pollution at the site, the Council's Environmental Health officers were consulted and raised no objections in respect of odour or noise pollution.

In conclusion, taking the above into account it is considered that the proposals would not result in significant and detrimental impacts on the privacy and amenity of any neighbouring occupants, complying with Policies LP24 and LP52 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan and Chapters 12 and 15 of the National Planning Policy Framework.

3 – 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.

Policy 11 of the HVNDP states that new development should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (parking) and the Council's latest guidance on highways design.

The application is for the erection of an agricultural building on farmland within an existing field access off Moss Edge Road. Given the nature of the proposals the Council's Highways team were consulted.

Highways officers consider the proposal to be acceptable. The existing access arrangements from Hollin Brigg Lane/Woodhouse Lane, serving the main farm buildings and properties along Moss Edge Road, would be retained. The proposed track access junction is considered appropriate, with visibility maximised due to its position on the outside of the bend. The access track would be of a suitable width and finished with an appropriate surface material for its intended use by agricultural vehicles, although regular maintenance and resurfacing may be required due to the nature of crushed stone.

The track gradient would be between 8% and 10%, and the proposed barn location would provide sufficient space for parking, turning and livestock handling. Animal and vehicle movements, including servicing and veterinary visits, are expected to remain consistent with existing agricultural activities and would be contained largely within the wider holding. Manure management would be undertaken within the landholding, as outlined in the submitted Planning Statement. Accordingly, the development would not result in adverse impacts on highway safety or the operation of the highway network.

For the aforementioned reasons it is considered that the proposed scheme would not represent any additional harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, Policy 11 of the Holme Valley Neighbourhood Development Plan, and the guidance contained within Chapter 9 of the National Planning Policy Framework.

4 – Other matters:

Ecology

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

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.

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.

A Biodiversity Net Gain Assessment (Habitat Works, May 2026) has been submitted in support of the application, which identifies that the development

would deliver a 31.85% net gain in biodiversity through the conversion of Modified Grassland to Other Woodland – Broadleaf.

KC Ecology has been consulted and advises that, as recommended within the Biodiversity Net Gain Assessment, a Habitat Management and Monitoring Plan should be secured by condition. This should detail the creation, establishment and long-term maintenance of the proposed woodland habitat. Officers also recommend that a Construction Environmental Management Plan: Biodiversity is secured by condition, given the site's proximity to Moss Edge Wood and Dobb Dike, which represent sensitive ecological receptors. The plan should set out appropriate mitigation measures to prevent pollution, disturbance or other adverse impacts on the adjacent habitats during construction.

Under the legislation, a condition is in place by law. The biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. As such, it is not considered necessary for any further condition to be in place upon any grant of permission given the statutory requirements in relation to biodiversity. However, an informative note will be included to highlight this requirement to the applicant.

Land Contamination

With regards to land quality, paragraphs 196 and 197 of the National Planning Policy Framework and Policy LP53 of the Kirklees Local Plan which seeks to ensure land quality is maintained as part of new development.

The site of the proposed building is identified as potentially contaminated land due to its former use as a quarry. The application concerns the erection of a new agricultural building which is shown as being partly open allowing for good natural ventilation. As groundworks will be required to facilitate the development, Environmental Health Officers recommend that conditions are imposed requiring the submission of a Preliminary Risk Assessment and any associated investigation or remediation measures, where necessary.

Taking the above assessment into consideration, the proposed conditions are considered to be sufficient mitigation on this occasion, and therefore the proposals are considered to accord with LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

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.

In an application of this nature, it is expected that facilities for charging electric vehicles and other ultra-low emission vehicles are provided in accordance with the National Planning Policy Framework and Air Quality & Emissions Technical Planning Guidance from the West Yorkshire Low Emissions Strategy Group. The submitted Design and Access Statement confirms that EVCPs will be provided, and an amended plan has been submitted showing the siting of the EV charger.

5 – Representations:

The response of Holme Valley Parish Council is noted and a condition is recommended to ensure the use is for agricultural purposes only.

6 – 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: 2026/91359

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, Policies 1, 2, 12 & 13 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The agricultural building hereby approved shall be faced in low level concrete blocks/ panels with profiled sheeting of a green colour finish for the external walls and green profiled cladding for the roof in accordance with the details upon submitted drawing PL02revB. The development shall not be brought into use until it has been completed with the materials of construction so approved by this condition which shall thereafter be retained for the lifetime of the development.
Reason: In the interest of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the policies within Chapters 12 and 13 of the National Planning Policy Framework

4. The building hereby approved shall be used for agricultural purposes only and at no time shall be used for any purpose(s) that do not fall within the definition of agriculture set out in Section 336 of the Town and Country Planning Act 1990 (or any definition which may supersede this in any subsequent Act or Order).
Reason: To clearly define the use approved by this permission in recognition of the assessment undertaken of the appropriateness of this use on Green Belt land, to protect the visual amenity of the area, to protect the amenities of nearby residents and to accord with Policies LP1, LP2, LP24, LP52 and LP54 of the Kirklees Local Plan and policies contained within Chapters 12, 13 and 15 of the National Planning Policy Framework.

5. No external artificial lighting shall be erected within the site, unless and until details of size, location, orientation, lighting level and any associated fixing apparatus have first been submitted to and agreed in writing by the Local Planning Authority. The submitted scheme shall demonstrate conformance with established guidance document Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night. The submitted scheme shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. No external artificial lighting shall be erected within the site other than that which has been approved by this condition which shall be retained thereafter.
Reason: In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

6. 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 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.

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

- Pollution Prevention Plan for the adjacent watercourse and woodland (using good practice guidance such as CIRIA C532)

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

7. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
   a) a non-technical summary;
   a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
   b) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
   c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
   d) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Notice in writing shall be given to the Council when the:
      a. HMMP has been implemented; and
      b. habitat creation and enhancement work as set out in the HMMP have been completed.

   The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.
   Reason: In the interests of biodiversity and in accordance with Policy

LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

8. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.
   Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with Policy LP53 of Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

9. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 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 Chapter 15 of the National Planning Policy Framework.

10. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 9 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 Chapter 15 of the National Planning Policy Framework.

11. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 10. 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 Chapter 15 of the National Planning Policy Framework.

12. 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 Chapter 15 of the National Planning Policy Framework.

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)
- S 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: 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.

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 electrical supply of the final installation should allow the charging equipment to operate at full rated capacity, and the installation must comply with all applicable electrical requirements in force at the time of installation.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	353-25-PL03	C	20/05/2026
Proposed Site Layout	353-25-PL01	A	20/05/2026
Proposed Floor Plan & Elevations	353-25-PL02	C	21/07/2026
Planning Statement dated 28/03/2026	352-25-R1_A	-	20/05/2026
Biodiversity Net Gain Assessment by Habitat Works dated May 2026	-	-	26/05/2026
Moss Edge Farm Condition Assesment – Grassland	-	-	20/05/2026
Topographical Survey 2 of 2	HA_02_SP	-	20/05/2026
Topographical Survey 1 of 2	HA_02_SP	-	20/05/2026
Moss Edge Farm SBM Calculations	-	-	02/06/2026
Application Form	-	-	20/05/2026
Climate Change Statement	-	-	20/05/2026

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. No amendments were sought.

NO COAL