

**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:	2026/62/91469/E
Site Address:	The Water Tower, Green Side Road, Blagdens, Thurstonland, Huddersfield, HD4 6XA
Description:	Replacement of the existing damaged concrete flat roof on the water tower with a new pitched/hipped roof
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: 10th August 2026

The Site

The Water Tower comprises a small, stone-built structure situated approximately 300 metres north of Green Side Road. The site occupies a rural location and is surrounded by agricultural fields on all sides. According to the application form, the building was formerly used as a water pumping station serving the nearby Storthes Hall. The site lies within the Green Belt as designated by the Kirklees Local Plan.

The Proposal

The applicant is seeking planning permission for replacement of the existing damaged concrete flat roof on the water tower with a new pitched/hipped roof.

The development would take the total height of the building to 10.5m and the roof would be finished in marley modern tiles.

The submitted planning supporting statement outlines the current flat concrete roof is in poor condition and has deteriorated over time due to its exposed location and years of harsh weather. Water is no longer draining properly from the roof, which has led to ongoing water ingress and deterioration to parts of the structure. If left unresolved, the condition of the building will continue to worsen and become more unstable.

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 application has been advertised by site notice and on the Council's website 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).

Final publicity date expired: 23 July 2026.

No representations were received as a result of the publicity.

Parish/ Town Council Comments

N/A.

Consultations

No statutory consultations were requested for this application.

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 identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

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
- LP57 The extension, alteration or replacement of existing 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

Chapter9	Promoting sustainable transport
Chapter12	Achieving well-designed places
Chapter13	Protecting Green Belt land
Chapter14	Meeting the challenge of climate change, flooding and coastal change
Chapter15	Conserving and enhancing the natural environment

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.

Within paragraph 154 the exception listed at part c) is for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Policy LP57 of the Kirklees Local Plan sets out that the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance including the design and materials as well as

having regard to previous extensions and the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas.

In this case, the proposed development would increase the height and volume of the building through the replacement of the existing flat roof with a pitched roof.

The supporting Planning Statement explains that the existing flat roof is in poor condition, with inadequate drainage resulting in ongoing water ingress and deterioration of parts of the structure. The proposed pitched roof is therefore required to safeguard and preserve the building by providing effective rainwater drainage and improved weather protection, thereby preventing further deterioration and maintaining the structural integrity of The Water Tower.

Having regard to the scale and purpose of the proposal, the works are considered to be modest and necessary to secure the long-term preservation of the building. The proposal is therefore considered to fall within the exception set out in paragraph 154(c) of the NPPF, as it would not result in disproportionate additions over and above the size of the original building. The development would also accord with Policy LP57(a) of the Kirklees Local Plan, as the original building would remain the dominant element in terms of both its scale and overall appearance.

Furthermore, the proposal would not result in any greater impact on the openness of the Green Belt, including through the treatment of outdoor areas. The proposed Marley Modern roof tiles are considered appropriate to the character of the existing building and would not materially detract from the rural character or openness of the Green Belt.

Whilst the introduction of a pitched roof would result in a modest increase in the building's overall height, its visual impact would be limited given the small scale of the structure, its rural setting, and the use of materials that are sympathetic to the existing building. As such, the proposal would not appear visually intrusive or harmful to the character and appearance of the surrounding Green Belt.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

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.

The development is over 300m to the closest residential property. Therefore, due to this spatial relationship, the development is not considered to impact the residential amenity of any neighbours.

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.

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.

The proposal does not involve any alterations to the existing means of access or parking arrangements. As such, it is not considered to give rise to any adverse impacts on highway safety.

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, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

4 – 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 site is not within an area with a known presence of bats and there are no records of bat roosting at the site.

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.

5 – Representations:

None received

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: 2026/91469

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 & LP57 of the Kirklees Local Plan and Policies within Chapters 2, 9, 12, 13 and 14 of the National Planning Policy Framework

3. The roof tiles of the development hereby approved shall be either natural stone, slate or roof tiles of a dark grey colour finish which shall be retained thereafter.

Reason: In the interests of visual amenity and to preserve the openness of the Green Belt to accord with policies LP24 and LP57 of the Kirklees Local Plan and policies contained within Chapters 12 and 13 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	29/05/2026
Existing and Proposed Block Plan	-	-	29/05/2026
Existing Plans	-	-	29/05/2026
Proposed Plans	-	-	29/05/2026
Planning Supporting Statement	-	-	29/05/2026
Application Form	-	-	29/05/2026

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 as it was considered that the proposal was acceptable as submitted.

Low coal

