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land at, Piper Well Lane/Park
Head Lane, Birds Edge,
Huddersfield, HD8 8BADate: 13 March 2026
Our Ref: 2025/21120

Dear Sir/Madam,

Pre-application Enquiry for Residential Development at Land at, Piper Well Lane/Park Head Lane, Birds Edge, Huddersfield, HD8 8BA**1. Summary of your Proposal**

The pre application enquiry is seeking guidance in relation to the conversion of an existing vacant building into a residential use, relocation of the site access and erection of a detached garage.

To support this pre-application enquiry, the following documents have been submitted:

- Proposed site plan, proposed plans and elevations
- Structural survey
- Barn owl assessment
- Supporting letter

2. The Site

This pre-application advice is given without the benefit of a site visit. Any material planning matters raised as a result of visiting the site will be taken into account should an application be submitted. This is a desk based assessment using the Council's internal mapping systems.

The main site comprises a stone built vacant building which occupies a corner plot between Piper Well Lane and Park Head Lane. The building immediately abuts the site boundary on Park Head Lane.

The site is a stand alone building as to the east and north of the site is vacant land.

The application site is located within the Green Belt, a low risk coal area, a wildlife habitat network layer and is adjacent to Appleton Quarry.

3. Relevant Planning History

Application site:

N/A

4. Land Allocation and Relevant Planning Policies

The site is located in the Green Belt in the Kirklees Local Plan (2019)

The Local Plan can be viewed under the 'Planning Policy' section of the Kirklees Planning and development website: <https://www.kirklees.gov.uk/beta/planning-and-development.aspx>

Below is a list of the relevant policies of the KLP to your proposal:

LP1 Presumption in favour of sustainable development

LP2 Place shaping

LP22 Parking

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

The National Planning Policy Framework (NPPF) 2024 can be viewed at: -
[National Planning Policy Framework - Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/national-planning-policy-framework)

National Planning Policy (NPPF):

Below is a list of the relevant chapters of the NPPF

- Chapter 12 – Achieving well designed places
- Chapter 13- Protecting Green Belt Land
- Chapter 15 – Conserving and enhancing the natural environment

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 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.

Supplementary Planning Guidance/Other Documents

Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and open space, to be used alongside existing SPDs previously adopted. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the street scene and wider area. As such, it is anticipated that these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development. In this case the following SPDs are applicable:

- Biodiversity Net Gain Technical Advice Note
- Highways Design Guide
- Waste Management Design-Guide-new-developments
- House builders design guide

5. Consultations

KC Highways Development Management: Informal consultation on 12/12/2025.

Applicant would need to ensure parking is to design standards and visibility splays would need to be provided based on The Design Manual for Roads and Bridges. To support this, speed surveys may be required up to 85th percentile. Details of bin storage and collection points would be required; new access gate would need to be set back 5m into the site and a swept path analysis would be required to be provided on final plans to ensure vehicles can exit and enter site in a forward gear.

KC Trees: Informal. No objection to the removal of the tree due to its location; however, replacement planting would be expected.

6. Relevant Planning Matters

6.1 Principle of Development and Design

Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Principle of development within the Green Belt

The application site is located on land allocated as Green Belt on the Kirklees Local Plan. The proposal is for the change of use of an existing building into a residential dwelling and the erection of an associated outbuilding.

Chapter 13 (Protecting Green Belt Land) of the National Planning Policy Framework (December 2024) sets out at Paragraph 142 that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The NPPF goes on to establish that the purposes of the Green Belt are:

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

Paragraph 153 states that *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt,*

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

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

- a) The development would utilise Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) There is a demonstrable unmet need for the type of development proposed (footnote 56);
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework (footnote 57); and
- d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157

Chapter 13 of the NPPF also requires Local Planning Authorities to give substantial weight to any harm to the green belt. Development in the Green Belt is considered inappropriate unless exceptions apply. These exceptions include the extension or alteration of a building providing it does not result in disproportionate additions over and above the size of the original building.

An 'original building' is defined in the NPPF glossary as "a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

Policy LP57 of the Kirklees Local Plan refers to extensions alterations or replacement of existing buildings and states that extensions will normally be acceptable provided that the host building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and other associated buildings will be considered. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building. Furthermore, the proposal should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access;

and the design and materials used should be sensitive to the character of the Green Belt setting.

Policy LP60 of the Kirklees local plan is also considered relevant as this refers to the re-use and conversion of buildings in the Green Belt. This requires that the building to be re-used or converted is of permanent and substantial construction and the resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape.

It is considered that due to the main element of the proposal utilising an existing building, the principle of the proposal would be considered acceptable and would accord with the parameters of Policy LP60 of the Kirklees Local Plan; however, the impact of the development on design grounds, residential amenity and highway safety will also be considered along with, biodiversity and all other material considerations.

The proposal also features the erection of an outbuilding which is proposed to be used as a triple garage.

When reviewing the application site, officers consider that there is a stone wall on the eastern boundary of the site that defines the perimeter of the site. However, officers note that there is also stock fencing to the east of the main building that extends around the building to the north, the vegetation is visually different here from the fields to the east. This boundary appears to be determined by Appleton Quarry.

Officers do not consider that the proposed garage would be within the curtilage of the existing structure due to the location being outside of the main defensible boundary of the site.

In line with paragraph 155 of The National Planning Policy Framework, development should not be considered inappropriate where it would accord with the aforementioned points, point a refers to grey belt land and therefore an assessment is required as to whether the development could be considered grey belt.

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

Meeting Green Belt Purposes – Land (Paragraph 155a)

Planning Practice Guidance (PPG) published 27 February pertaining to Green Belt, sets out the considerations which inform the judgements on what level of contribution the site/land makes to the Green Belt purposes. In considering the contribution the land makes to the relevant Green Belt purposes the PPG sets out that for Paragraph 143:

- Purpose (a) - This purpose relates to the sprawl of large built-up areas. Villages should not be considered large built-up areas.
- Purpose (b) - This purpose relates to the merging of towns, not villages.
- Purpose (d) - This purpose relates to historic towns, not villages.

The areas with the closest proximity to the site are Shepley (village) and Upper Cumberworth. The site is located a substantial distance away from Upper Cumberworth, which is not classified as a large built-up area nor is it near to a large built-up area as such the land does not contribute to Green Belt purpose (a).

The land lies between development in Shepley, Denby Dale and New Mill, with the Hamlet of Upper Cumberworth to the east. However, these are rural villages rather than towns. The PPG confirms that assessment against this purpose specifically relates to the merging of towns and not villages. Although the land contributes to maintain separation between the dispersed rural settlements, it forms only a very small part of the gap between surrounding towns in Kirklees, as well as those outside the borough boundary to the south and east. The land therefore makes a weak contribution to purpose (b).

There are no designated historic towns in the immediate vicinity of the site. The site is not visually or physically connected to any settlement that would meet the definition of a historic town for the purposes of (d). As a result, the land does not contribute to purpose (d).

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

Meeting Green Belt Purposes – Development (Paragraph 155a)

Paragraph 155(a) of the NPPF states that development in the Green Belt may not be regarded as inappropriate where it would utilise 'grey belt' land and development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

The application site lies beyond the built extent of Upper Cumberworth, and is located beyond the defined edge of development. Within the vicinity, development is sporadic and characteristic of rural development. The proposed development would introduce new built form and associated residential infrastructure including access into this parcel, projecting development eastwards from the established edge and visually breaching the transition between urban form and open countryside.

Officers consider that the introduction of an additional built structure beyond the defined building line and into fields would clearly undermine purpose (c) of the Green Belt set out in Paragraph 143 which seeks to assist in safeguarding the countryside from encroachment. The development of the site would remove defensible boundaries and strong landscape features and its development would diminish the visual and spatial openness that defines the area. While the proposed layout is indicative at this time, the additional built form upon this site would represent an unacceptable extension into the Green Belt and would lead to encroachment of residential development into the Green Belt.

The site does not adjoin a large built-up area, and as such the development would not contribute to sprawl in the context of purpose (a). Although the land lies between residential settlements, these are both villages rather than towns and therefore the proposal does not conflict with purpose (b), which relates to merging of towns. The site is not connected to the setting of a historic town, and there would be no conflict with purpose (d).

Conclusion on Grey Belt Land and Development

The proposed garage building would constitute inappropriate development in the Green Belt. The development when coupled with its location, extending beyond the defined existing built form into open land would result in encroachment into open countryside, conflicting with Green Belt purpose (c) of Paragraph 143 of the NPPF. Under Paragraph 155(a) of the NPPF, development may be acceptable where it does not fundamentally undermine the purposes of the Green Belt; however, the proposal would erode a rural edge, lacking containment, and would undermine the Green Belt's function in this location.

It is considered that the siting of the proposal would fundamentally undermine the purposes of the remaining Green Belt across the area of the plan in this case, on the basis that it would lead to encroachment that has a significant and detrimental impact in relation to this purpose.

Demonstrable Unmet Need and Sustainable Location (Paragraph 155b and 155c)

The development would not fall within the exception set out in Paragraph 155(a) of the NPPF (2024), as the development would undermine the Green Belt's purposes. As such Paragraph 155a is not engaged in full, and sub criterion (b), (c) and (d) are only relevant where the development is first considered to fall within the scope of 'grey belt' under Paragraph 155a.

Notwithstanding this, even if the proposals were regarded as 'grey belt', it is reasonable to note that the 2025 update of the five-year housing land supply position for Kirklees shows 4.18 years supply of housing land, and the 2023 Housing Delivery Test (HDT) measurement which was published on 12/12/2024 demonstrated that housing delivery for Kirklees for the past three years (April 2020-March 2023) has fallen below the 75% pass threshold. This shortfall is a material consideration and supports the principle of development on Grey Belt land, subject to the applicant demonstrating a specific unmet housing need. Footnote 56 of the NPPF requires evidence that the proposed dwelling would meet an identified need. The floor plans demonstrate that the dwelling would provide four bedrooms and the proposal would contribute a family sized dwelling to the local housing supply. Given the evidential five-year supply shortfall, the proposal is considered to amount to a demonstrable unmet housing need.

It is acknowledged that the site has limited access to local transport services and local amenities. There is a bus stop approximately 12 minute walk from the application providing routes towards Huddersfield Town Centre and Holmfirth. Local amenities such as shops would require vehicular access to surrounding local and district centres. The site is in a moderately sustainable location in terms of access to amenities and it is acknowledged that it would be dependent on private vehicle use, which would not be uncommon in a semi-rural/rural setting.

However, the failure to satisfy 155(a) remains determinative, and the proposed garage is therefore contrary to Paragraph 155 of the NPPF and constitutes inappropriate development in the Green Belt.

Very Special Circumstances

No very special circumstances have been advanced by the applicant. In the absence of any such justification and given the identified harm to the Green Belt by reason of inappropriateness and encroachment into the countryside, the proposal remains contrary to paragraphs 153 and 155 of the NPPF. The relocation of the garage would be recommended should a full application be received.

Conclusion

The principle of converting the site to residential use would be considered acceptable as it would accord with the requirements outlined in chapters 13 of the NPPF and Policies LP57 and LP60 of the Kirklees Local Plan. Officers consider that the proposed garage would be unlikely to receive planning permission if submitted in its current format due to the development representing encroachment into open countryside. The siting of the proposal would fundamentally undermine the purposes of the remaining Green Belt across the area of the plan in this case and fails to meet the exception criteria set out in Paragraph 155(a)

of the NPPF 2024. No very special circumstances have been demonstrated to outweigh this harm. The development is therefore contrary to Chapter 13 of the NPPF

Visual Amenity and Impact on Green Belt

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

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

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

LP24 states that proposals should promote good design by ensuring:

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

Paragraph 133 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

The Planning Practice Guidance (PPG) sets out that “openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume” and this is acknowledged by officers.

Relevant to the design aspect of the proposal is the Kirklees Housebuilders Design Guide Supplementary Planning Document, dated 2021, which provides guidance on the design of new dwellings. It sets out, amongst other matters, how new dwellings should reflect the local character, existing building line, roof lines and materials.

The following principles are considered particularly relevant for the proposal in terms of design:

Principle 2 – Local character

“New residential development proposals will be expected to respect and enhance the local character of the area by:

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

Principle 5 – Building Line

Good quality-built form is supported by a strong and distinctive building line which helps create active street frontages and defines the character of places. New development should contribute to this via:

- Buildings which front on to the street with well-designed frontages and prominent front doors windows look out over the street
- Consideration given to accommodating garages and car parking within the development to ensure they are not visually dominant
- Infill development should reflect the building line of existing development and new development should provide clear and consistent building lines that are appropriate to the area
- Boundary treatments should be used to clearly distinguish between public and private space, helping to minimise the risk of crime whilst performing an important role in breaking up the dominance of on-plot car parking

Principle 12 – Parking (design)

It is recommended that a range of measures are explored to reduce private car-use into the design of development and through travel plans such as promoting car sharing and car clubs, providing safe and convenient cycle infrastructure and parking, providing safe and convenient access to bus stops and providing improved passenger facilities and where appropriate working with bus operators facilitate bus services through the site; and seeking enhancements to existing bus services.

Parking Provision should:

- Not dominate street frontages
- Be provided in a mix of formats
- Where possible parking should be accommodated to the side or rear of a dwelling
- Ensure garages are set back from the front door of a dwelling

The Highway Design Guide SPD outlines parking standards for within Kirklees.

Further to this, Principle 13 states that applicants should consider the use of locally prevalent materials and finishing of buildings to reflect the character of the area

Principle 14 – Windows and doors

The design of openings is expected to relate well to the street frontage and neighbouring properties.

Principle 15 – Roof line

Discusses the importance of how the design of the roofline should relate well to the site and its surrounding context.

Principle 17 – Outdoor space

All new houses should have adequate access to private outdoor space that is functional and proportionate to the size of the dwelling and the character and context of the site. External space should be able to accommodate activities such as playing, drying clothes, cycle, waste and recycling storage.

Officers consider that utilising an existing building of the development would be considered acceptable from a design perspective. The scale and location of the proposed dwelling has largely been delineated by existing structures on site and the proposed materials are considered to be in-keeping with Pennine vernacular.

In principle the design of the garage would be considered acceptable due to its materials and dimensions; however, as the proposed garage would be considered to represent encroachment into the green belt, it would be recommended that this is removed from the development or the garage is integrated into the host building.

Due to the size of the existing plot, a satisfactory layout which has sufficient amenity space, parking provision, safe access is likely to be possible on site. Therefore, the proposal would largely accord with Policy LP24 of the Kirklees Local Plan.

Residential Amenity:

The Housebuilders Design Guide SPD sets out minimum separation distances for two storey dwellings. These are as follows:

- **21 metres** between facing windows of habitable rooms at the back of dwellings.
- **12 metres** between windows of habitable rooms that face onto windows of a non-habitable room.
- **10.5 metres** between a habitable room window and the boundary of adjacent undeveloped land.

Officers do not consider that there would be any significant issues with regard to residential amenity. Consideration should be given to the location of habitable room windows and the separation distances between properties. However, a detailed assessment will be undertaken at full application stage.

It is considered that there is sufficient separation distance between the proposal and neighbouring properties that no significant issues regarding residential amenity would be required.

Residential Amenity of Future Occupiers:

Consideration must also be given to the amenity of future residents of the proposed dwelling. Taking into account principle 16 of the Kirklees Housebuilders Design Guide which sets out that:

‘All new homes should aim to be accessible and adaptable homes to meet the changing needs of occupants over time in accordance with Building Regulations and that ‘All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity and living environments for future occupiers in accordance with Policy LP24’.

National space standards demonstrate the requires gross internal floor area for dwellings.

These can be found at the following link: [Technical housing standards – nationally described space standard - GOV.UK](https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard)

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

National space standards require the following gross internal floor areas:

4Bedroom, 5-person dwelling set over 2 storeys- 97 square metres
4Bedroom, 6-person dwelling set over 2 storeys- 106square metres
4Bedroom, 7-person dwelling set over 2 storeys- 115square metres
4Bedroom,8-person dwelling set over 2 storeys- 124square metres

The proposed dwelling would have a minimum of four bedrooms and is therefore required to have a minimum space of 97m². The dwelling would comfortably exceed this.

Principle 17 of the House Builders Design Guide SPD states that all new houses should have adequate access to private outdoor space that is functional and proportionate to the

size of the dwelling and the character and context of the site. External space should be able to accommodate activities such as playing, drying clothes, cycle, waste and recycling storage.

Due to the property having access to outdoor amenity space, the proposal is considered to accord with Principle 17.

Highway Safety

Paragraph 116 of the NPPF states that: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

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

The Council's Highways Development Management (HDM) team have been informally consulted during consideration of the pre-application enquiry.

The proposal would include the re-location of the existing site access to the east of the street, visibility splays would need to be provided based on The Design Manual for Roads and Bridges and speed surveys would be required up to 85th percentile as the road is a national speed limit road. Details of bin storage and collection details would be required to be provided on a plan and any new access gate would need to be set back 5m into the site. As the proposal has proposed a dedicated parking area, a swept path analysis would be required to be provided on final plans to ensure vehicles can exit and enter site in forward facing gear.

The number of parking spaces allocated has been provided in support of the pre-application enquiry. Whilst it is noted that Kirklees Council has not set local parking standards for residential and non-residential development, as an initial point of reference for residential developments it is considered that new:

- 2 to 3-bedroom dwellings provide a minimum of two off-street car parking spaces.
- 4+ bedroom dwellings provide three off-street spaces.

There are additional points which would need to be addressed if a full application was to be submitted:

- Details of bin storage and collection points that enable bins to be presented on collection day without either obstructing the highway or proposed driveway.
- Parking details.

- Swept path analysis.
- Access gate set back 5m.
- Visibility splays.
- Speed surveys (where required)

The Council's Highways Development Management team would be formally consulted as part of any subsequent planning application.

Other matters

Ecology

Local Plan Policy LP30 refers to biodiversity and geodiversity. This policy requires development proposals to result in no significant loss or harm to biodiversity, minimise the impact on biodiversity and provide net biodiversity gains through good design and habitat creation where opportunities exist.

An Owl Survey has been provided to support the pre-application enquiry.

Biodiversity Net Gain is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and therefore, developments must deliver a Biodiversity Net Gain of 10%, utilising the statutory Biodiversity Net Gain metric unless exempt under The Biodiversity Gain Requirements (Exemptions) Regulations 2024. The National Planning Practice Guidance provides detail on when a development is exempt: <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>.

Under the new mandatory framework, there are three ways to Achieve BNG:

- On-Site Units: Developers can enhance and restore biodiversity within the red line boundary of their development site.
- Off-Site Units: Developers can also achieve BNG by enhancing biodiversity off-site (outside the development area). Developers could also engage with third party habitat bank providers to deliver the required level of biodiversity units within their ownership.
- Statutory Biodiversity Credits: These are a last resort option. If developers cannot achieve BNG through on-site or off-site methods, they can purchase statutory biodiversity credits, which are facilitated by DEFRA and are likely to be of significant expense.

A suitably qualified ecologist should be consulted on the requirements at the time of submission, with [national guidance](#) referred to, throughout. The application would need to be supported by the relevant exemptions or appropriate details.

The NPPF and Policy LP30 both require development proposals to apply the ecological mitigation hierarchy in order to result in no significant ecological harm. Through the hierarchy, significant harm should be avoided in the first instance, mitigated where impacts cannot be avoided and compensated for only as a last resort. Paragraph 19 of the Planning Practice Guidance on the [Natural Environment](#) (Reference ID: 8-019-20190721) provides more information on the application of the mitigation hierarchy.

In addition, as the site is within a Twite Buffer Layer, a habitat network and a SSSI IRZ layer on the council GIS system, the applicant should engage a suitably qualified ecologist to undertake a Preliminary Ecological Appraisal (PEA) in accordance with national guidelines. This work should identify any important ecological features present (species or habitats) or make recommendations for further survey where this is necessary to determine presence/absence of a feature or to what extent a feature is important. The purpose of PEA is to ensure scheme designers have access to sufficient information to apply the ecological mitigation hierarchy (described above). Accurate habitat survey will also be essential if a quantitative method of demonstrating a biodiversity net gain is to be used.

In conclusion, in order for the development to be assessed against Policy LP30 of the Kirklees Local Plan and to meet the mandatory requirements of the Town and Country Planning Act 1990, the application should be supported by a BNG metric, BNG assessment, a PEA. The applicant should review information within the BNG Technical Advice Note and national guidance on BNG on the level of detail to be submitted within a suitable report.

Land contamination

With regard to land quality, paragraphs 187, 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 are considered to be relevant.

This site has been identified on our mapping system as potentially contaminated land due to its proximity to a quarry and industrial waste site (73/22). Contaminated land conditions would therefore be likely to be imposed should a subsequent full application be approved, or a Phase 1 Report could be provided at validation stage in accordance with Policy LP53 of the Kirklees Local Plan.

Coal Mining

The site is identified as being located within a low risk Coal Mining Area. As such, a Coal Mining Risk Assessment would not be required as part of any future planning application.

Climate Change

Kirklees Council declared a Climate Emergency in January 2019 and the Kirklees Local Plan includes policies aimed at supporting development which contributes positively to

climate change. The LPA seeks applications to be supported by a statement from the applicant which details how climate change, its contributors and impacts, have been considered as part of a development proposal.

Carbon Budget

Principle 18 of the Housebuilders Design Guide sets out that new proposals should contribute to the Council's ambition to have net zero carbon emissions by 2038, with high levels of environmental sustainability by ensuring the fabric and siting of homes, and their energy sources reduce their reliance on sources of non-renewable energy. Proposals should seek to design water retention into proposals.

In line with the Council's objectives for promoting sustainable methods of transport as well as helping to reduce carbon emissions, an electric car charging point should be provided for the dwelling. This will ensure the proposal complies with LP20, LP21, LP24, LP51, and LP52 of the Kirklees Local Plan, Principle 18 of the Housebuilders Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

Flood Risk and Drainage

The site does not lie within a flood zone and there are no known watercourses crossing the site. As such, there are no concerns raised in terms of Flood Risk, however drainage of the site should be considered.

Please note that in preparing the drainage strategy for the site, this should be undertaken having regard to the hierarchy of drainage to ensure that the more sustainable options for surface water drainage are explored and discounted first, before discharging to the sewer. This is in accordance with the aims of Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

Trees

Policy LP33 of the Kirklees Local Plan states that the Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity. Proposals should normally retain any valuable or important trees where they make a contribution to public amenity, the distinctiveness of a specific location or contribute to the environment, including the Wildlife Habitat Network and green infrastructure networks. Proposals will need to comply with relevant national standards regarding the protection of trees in relation to design, demolition and construction. Where tree loss is deemed to be acceptable, developers will be required to submit a detailed mitigation scheme.

Officers understand that a large tree on the boundary of the site is required to be removed to facilitate the development. This approach has been discussed with KC Trees. In this instance the removal of the tree has been deemed acceptable due to its close proximity to the host building and a suitable mitigation scheme will be required to justify this.

Conclusion

To conclude, based on the information provided, the-principle of converting the host building would be considered acceptable; however, the additional built form (the proposed garage) would not be likely to be considered acceptable.

Should a full application be submitted following this pre-application enquiry, any scheme going forward would need to consider the impact on visual amenity, residential amenity and guidance should be taken from the comments made within this response.

7. Validation Requirements

Should you wish to pursue an application, the information you need to provide with your application is detailed in the Validation checklist which can be viewed under the heading 'Guidance and advice notes' on the Kirklees Planning and Development website [Guidance and advice notes | Kirklees Council](#)

8. Planning Application Fee

You can use the following link to calculate how much the planning fee would be for your proposal: <http://1app.planningportal.co.uk/FeeCalculator/Standalone?region+1>.

I hope you find this information helpful. However, should you wish to discuss the content of this letter, please do not hesitate to contact the officer named at the beginning of this letter.

I hope you find this information helpful.

Yours faithfully,

Mathias Franklin

Head of Planning and Development

Disclaimer

Any views or opinions expressed are in good faith, and without prejudice to the formal consideration of any planning application, which will be subject to public consultation (which will include the relevant Town or Parish Council) and ultimately be decided by the Council.

It should be noted that subsequent alterations to legislation or local, regional and national policies might affect the advice given. You should be aware of the Council's Local Development Scheme which sets out the programme for developing its Local Plan. You are advised to seek further advice once any consultation drafts are published.

Planning

Investment and Regeneration Service
PO Box B93, Civic Centre 3,
Off Market Street, Huddersfield, HD1 2JR

Caution should be exercised in respect of pre-application advice which is not submitted within a short time of the Council's advice letter.