

**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:	2025/62/90507/W
Site Address:	The Griffin Lodge, 273, Manchester Road, Crosland Moor, Huddersfield, HD4 5AG
Description:	Erection of first floor extension to create 1 bedroom flat
Recommending Officer:	Edward Cheseldine

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 7-May-2025

Officer Report

2025/90507 - The Griffin Lodge, 273, Manchester Road, Crosland Moor, Huddersfield, HD4 5AG

Site Description

273 Manchester Road is a two-storey, double fronted building in Crosland Moor. The property sits in a frontal position near a junction on Manchester Road. Manchester Road is a category A road. The site is located 25m from Air Quality Management Area (AQMA 10).

The building has permission to contain 6 bedsit dwellings.

The application property sits adjacent to a grade II listed building.

List description for 271 Manchester Road:

Mid C19. Ashlar. Pyramidal slate. Overhanging eaves with ornamental wooden valence. One storey. Canted end. Paired arched casements in oblong frames with hoodmoulds.

Application Proposal

The application is seeking planning permission for a first-floor extension to create an additional flat.

The extension will be asymmetrical in footprint due to the existing footprint of the ground floor. The front elevation width will be 5.65m, it will have a length of 10.80m with an eaves height of 6.65m and a ridgeline height of 9.30m. The ridgeline of the extension will be set down from the original roofline by 0.40m.

In terms of features, it will replicate the front of the existing dwelling with two front elevation windows. On the rear, patio windows will be installed with one window.

Amendments/Negotiations

Due to the adjacent listed building, it was requested that a streetscene plan was submitted to assess the height and mass in consideration of 271 Manchester Road.

Public Representation

The application was advertised by way of a site notice and a press notice.

Site notice expiry: 11-Apr-2025

Press notice expiry: 19-Apr-2025

As a result of the publicity, there were no representations.

Relevant Planning History:

2006/92118 – Change of use of ground floor storage to 6.no bedsits – Full permission granted.

Consultation Responses

KC Conservation & Design - Informal consultation. No objection, subject to conditions.

Policy & Legislation

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 site is unallocated on the Kirklees Local Plan Proposals Map.

Kirklees Local Plan (LP):

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP 7** – Efficient and Effective Use of Land and Buildings
- **LP 11** – Housing Mix and Affordable Housing
- **LP 20** – Sustainable Travel
- **LP 21** – Highway Safety
- **LP 22** – Parking Provision
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity
- **LP 35** – Historic Environment
- **LP 51** – Protection and Improvement of Local Air Quality
- **LP 52** – Protection and Improvement of Environmental Quality
- **LP 53** – Contaminated and Unstable Land

National Policies and Guidance

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

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** – Achieving Sustainable Development
- **Chapter 4** – Decision-Making
- **Chapter 5** – Delivering a Sufficient Supply of Homes
- **Chapter 8** – Promoting Health and Safe Communities
- **Chapter 9** – Promoting Sustainable Transport
- **Chapter 11** – Making Efficient Use of Land
- **Chapter 12** – Achieving Well-Designed Places
- **Chapter 14** – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- **Chapter 15** – Conserving and Enhancing the Natural Environment
- **Chapter 15** – Conserving and Enhancing the Historic Environment

Other Material Considerations

- Kirklees Highways Design Guide SPD (2019).
- Waste Management Design Guide for New Developments (Version 5, October 2020).
- Gov Uk Biodiversity Net Gain Technical Guidance (2023).
- Kirklees Housebuilders Design Guide SPD (2021).
- Nationally Described Space Standards (UK Government)

Assessment

The following matters are considered in the assessment below –

- 1) Principle of Development
- 1) Impact on Visual Amenity
- 2) Impact on Residential Amenity
- 3) Impact on Highway Safety
- 4) Environmental Issues
- 5) Representations
- 6) Conclusion

Principle of development

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 assessed.

The site is UNALLOCATED on the KLP Policies Map. Although the site adjoins the grade II 271 Manchester Road. Policy LP2 states that:

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

Historic Environment

The application site is located west of the grade II listed 271 Manchester Road. Historic imagery indicates the application building is a historic inn/public house, although it adjoins the grade II listed building, maps indicate the land parcels are separate and the use as an inn/pub are separate from 271 Manchester Road, therefore it is not a curtilage listed building. Nevertheless, due to the proximity of the properties, the proposed extension could impact upon the setting of the listed building, therefore relevant legislation and policy applies.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is for a first-floor extension that sits upon the shared boundary with 271 Manchester Road. In terms of its setting, the listed building is visible from the public domain, mainly from Manchester Road. In terms of impact, owing to the mono-pitched roof, the application site will retain a sense of separation from the listed building. The eaves height will be set below the ridgeline of No. 271. It is not considered the extension will crowd out the listed building or impact upon its visibility. In terms of appearance, the extension has a traditional character due to the replication of traditional fenestration. It will not compete with the listed building. Therefore, it is considered the impact of the extension will preserve the setting of the listed building.

Paragraph 212 of the NPPF states that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 214 goes on to state that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

In terms of harm, the streetscene plans indicate a sufficient design that respects the scale and details of the adjoining building. In order to preserve the setting of the listed building, given the proximity of the extension, it is recommended that it be conditioned that the masonry and pointing matches the existing ground floor projection in terms of coursing, colour, finish and texture.

In terms of the historic environment, the principle of development is considered to be acceptable when assessed against Chapters 2 and 16 of the National Planning Policy Framework and Section 16(2) & 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

New Dwelling

The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

The Council’s inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officers assessment.’

One additional unit would make a small contribution to that supply. Good design is a key aspect of sustainable development which contributes to creating better places therefore an assessment will be made on the impact set

within national and local policy. Therefore, a balance will be formed, within this assessment, against the benefits one dwelling would bring to the supply.

Impact on Visual Amenity

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

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

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

LP24 states that proposals should promote good design by ensuring:

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

Paragraph 134 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Relevant to this is the Kirklees Housebuilders Design Guide SPD 2021, which aims to ensure future housing development is of high-quality design.

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

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

Whilst the extension will house an additional living unit, it is an extension to an existing building. The character of the extension should therefore assimilate with the existing building whilst being sensitive to the adjoining listed building.

In terms of this, the infill extension is appropriately design. It is set down from the ridgeline of the existing dwelling, being subservient to the host building. The window openings are rectangular, sash type, whilst being slightly smaller than the original openings providing a sensitive approach to replication. Materials are recommended to be conditioned to match the existing building. The rear elevation patio windows do not detract from the character of the extension.

Therefore, it is considered that a development which meets the policies of Chapter 12 of the NPPF, by contributing positively to the surrounding area, as well as policies LP1, LP2, and LP24 of the Kirklees Local Plan and Principles 2, 5, 13, 14 and 15 of the Council's adopted Housebuilders Design Guide SPD.

Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should:

"...maintain appropriate distances between buildings' and '...minimise impact on residential amenity of future and neighbouring occupiers."

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Principle 6 of the Kirklees Housebuilders Design Guide SPD states that: *"Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking."* The SPD also provides advised separation distances for two storey dwellings:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

The properties affected by the first-floor extension will be No. 271 Manchester Road only.

Impact on 271 Manchester Road

271 Manchester Road sits to the east of the application dwelling. There are no windows or door openings proposed on the east facing elevation. The

dwelling will benefit from patio doors that open out onto an established platform, hosting views towards the outdoor residential space of this plot. Currently, there are several caravan units within this area. There are no boundary treatments between the building and the caravan units. It is therefore not considered this is private residential space. As the platform is existing and due to the existing overlooking relationship, it is not considered there will be an impact to privacy.

The extension will abut a single-storey projection of the listed building. There are 3 skylights within the roof of the projection. As they are high level it is not considered they provide an outlook. In terms of light, whilst there is an increase in vertical mass it is not considered the extension will lead to a detrimental decrease in light levels that would be refusable.

Amenity of the Proposed Occupier

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.”*

Internal space standards are outlined within the Nationally Described Space Standard (NDSS). Space standards indicate a 1 storey dwelling with 1 bedroom (2 persons) requires a minimum internal floorspace of 50m².

The internal floorspace of the proposed dwelling would have a total floorspace of 51m², meeting the requirements.

NDSS states a 2-person bed space should have a floorspace of 11.50m². The bedroom provided has a floor space of 14.25m². The space requirements of the dwelling therefore accord with requirements set out in the NDSS.

Notwithstanding this, an assessment should not just be conformed to a numerical calculation but of the quality of the functionality of habitable space. The dwelling has a rectangular footprint, with satisfactory layouts when accounting for doorways to accommodate a double beds and internal room storage. There will be sufficient amount of natural light in each room due to the window placement at the front and rear.

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.”*

A modest outdoor area will be provided to the rear of the building, which is suitable for the number of bed spaces. Whilst it is not necessarily private, it is

elevated from the adjacent plot and will provide a decent level of privacy. For the number of occupants, the outdoor space is suitable.

Impact on Highway Safety

Policy LP21 states all proposal should ensure the safe and efficient flow of traffic within the development and on the surrounding highway Network.

Policy LP22 and the Kirklees Highways Design Guide Supplementary Planning Document are relevant insofar as they relate to parking provisions.

Parking will be provided to the rear of the dwelling. There are 8 allocated parking spaces. Currently 6no. HMOs within the building. The council's records indicate the space to the rear of the building is within the ownership of the applicant, although access is shared with the bowling green. The number of parking spaces is sufficient for the number of dwellings on site. Given this it is not considered there will be an impact to the existing highway network. The development therefore accords with LP21 & LP22 of the Kirklees Local Plan.

Environmental Matters

Biodiversity & Ecology

Paragraphs 187, 193, 194 and 195 of 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.

Furthermore, Biodiversity Net Gain (BNG) came into effect for minor sites on 02 April 2024. There is a requirement to replace the loss of a habitat whilst delivering at least 10% biodiversity net gain.

The applicant has indicated a biodiversity net gain uplift is not required within the application form. The extension is at first-floor level therefore no habitats will be removed, the development would fall under the *Di Minimis* exemption, as listed within the Government Biodiversity Net Gain Advisory Note, therefore no uplift is required.

Air Quality

Kirklees Local Plan Policy LP51 ensures protection and Improvement of Local Air Quality, in that poor air quality does not lead to an unacceptable impact on the natural or built environment or to people.

KC Environmental Health were consulted as part of the application process. They recommended an air quality impact assessment was undertaken. The development is for a first-floor extension to an existing building which contains residential accommodation. The front elevation windows will have a similar

relationship to existing windows on the front of the building, that serve dwellings. The application will introduce one additional unit amongst others, it is therefore considered unreasonable to request a screening assessment to monitor air quality for the purposes of this development considering poor air quality within the area is known.

However, a ventilation scheme is recommended to be conditioned to prevent occupants from being exposed to high levels of pollutants.

Noise

Kirklees Local Plan Policy LP52 ensures the protection of development from noise or disturbance from nearby noise generating sources.

The site is adjacent several potential sources of noise (including but not limited to the Griffin Bowling Club, the Railway Line and the A62). Noise from these sources may impact the amenity of the proposed receptors. For these reasons conditions relating to noise are recommended to be attached.

Construction Site Working Times

Construction working times are covered by regulations outside the planning system, therefore it is not deemed necessary to add a secondary planning condition, however a footnote is recommended to be added.

Electric Vehicle Charging Points

The requirements for EV charging points are set out within the Air Quality & Emissions Technical Planning Guidance from the West Yorkshire Low Emissions Strategy Group, therefore a secondary planning condition is not necessary.

Carbon Budget

The proposal is a small scale development. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

Conclusion

The application for residential development at 273 Manchester Road has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable principle and design, and lack of harm in terms of visual amenity, residential amenity highway safety and environmental matters, the proposed development is considered to be acceptable.

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.

As set out above, 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

Conditions and Reasons

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

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

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

Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. The external walls to the extension shall be constructed of dressed natural stone and laid in courses to match the existing. Stonework and pointing shall match the appearance of the existing in terms of colour finish and texture.

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

4. Before construction commences, a ventilation scheme for habitable rooms where windows need to be kept closed to prevent occupants from being exposed to high levels of pollutants shall be submitted to and approved in writing by the Local Planning Authority. The ventilation scheme shall provide the following information:

- a. The ventilation scheme must demonstrate that the air intake is located away from the sources of noise and/or poor air quality. All works which form part of the approved scheme shall be completed prior to occupation of the aforementioned apartments and retained and maintained thereafter.

Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

5. Before any enabling or construction work commences, a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development including any commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The report shall:
 - a. Determine the existing noise climate
 - b. Predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time) and other habitable rooms of the development
 - c. Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

NOTE: All noise assessments should be carried out by a competent person. The applicant may wish to contact the Association of Noise Consultants <http://www.association-of-noiseconsultants.co.uk/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: Due to its location, a roost may be present on site. Bats are a European species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether bats are present or not. If bats are discovered on site, development shall cease, and the applicant is advised to contact Natural England for advice.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours, Mondays to Fridays 08.00 and 13.00hours, Saturdays, with no working Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

Plan Type	Reference	Version	Date Received
Location Plan	-	-	04 November 2024
Existing site / block layout	8955/1	-	04 November 2024
Proposed grouped plans	24106-01	RevB	11 February 2025
Existing dwelling floor plan / street scene plan	24106-02	-	10 January 2025
Design and access statement	-	-	04 November 2024
Climate change statement	-	-	04 November 2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

Due to the adjacent listed building, it was requested that a streetscene plan was submitted to assess the height and mass in consideration of 271 Manchester Road.

