

**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:	2025/62/90587/E
Site Address:	48, Turnsteads Avenue, Cleckheaton, BD19 3AL
Description:	Widening of existing vehicular access and associated landscaping works
Recommending Officer:	Faiza Bano

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.

Emma Thompson

AUTHORISED OFFICER

Date: 20-Jun-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/90587
Location	48, Turnsteads Avenue, Cleckheaton, BD19 3AL
Proposal	Widening of existing vehicular access and associated landscaping works
Publicity end date	23 rd May 2025
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	Unallocated, BatAlert, LB Airport Consult - Area 1, DEVELOPMENT_LOW_RISK_AREA
Extension to Time (EoT)	No
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

If 'No' to all above, proceed with a fast track report

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications,

observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) December 2024
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 9 – Promoting sustainable transport
- NPPF Chapter 12 – Achieving well-designed & beautiful places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF Chapter 15 – Conserving and enhancing the natural environment

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES/NO	SUMMARY

Negotiations/Amendments during course of application	Yes	Amendments sought to demonstrate an alternative parking space on the left side of the front garden in the interest of highway safety and to prevent vehicular overhanging on the pavement.
Parish/Town Council comments sought	No	N/A
Planning History	No	N/A
Consultations Required	Yes	KC Highways Development Management were consulted on the original plans (informal) - The dimensions of the proposed parking area would not comply with current standards, as the second space lacks sufficient depth to accommodate a vehicle, leading to potential overhang onto the footway to the detriment of pedestrian use and highway safety. Amended plans required. Amended Plans – no objections. Considered acceptable.

Assessment

The application seeks permission for the widening of the existing vehicular access and associated landscaping works to the front of the property.

The front garden will be finished in permeable resin hardstanding and the dimensions of the new parking area would measure approximately 6.1m in length, with a width of approximately 2.8m.

Design and Visual Amenity:

Summary of local street scene/character:

The site to which this application pertains to is 48, Turnsteads Avenue, Cleckheaton, BD19 3AL; a two storey semi-detached, finished in render and roofed with tiles. The property benefits from an amenity space to the front, which is proposed to be converted into a parking area, the area to the rear would remain. The street scene is characterised by a mixture of terraced, semi-detached and detached properties, constructed from a mixture of materials. Similar parking arrangements exist at 52 Turnsteads Avenue.

Consideration in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	The proposal, which incorporates materials that harmonise with the surrounding area, ensures that there will be no significant impact on the local character or the surrounding street scene. Whilst there are driveways within the local vicinity, it is acknowledged they have not been subject to any planning permission but have become characteristic of the area, as such the development would be in keeping with the surrounding neighbours and street scene.	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF 	The proposed alterations to the site will have no significant effect on the original property. The impact will be limited to the front amenity space, which is part hard standing with a small garden.	✓

Height, scale and massing	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	This application is not proposing the construction of any structures that could have a significant impact on the original dwelling in terms of height, scale, and massing.	✓
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF 	<p>The proposed materials are to match those already existing.</p> <p>Given the variety of materials used at the front of neighbouring properties within the street scene and considering the existing visual impact of the host property being hard surfaced, the front amenity space is deemed acceptable.</p>	✓
Roof style	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	The proposal does not include any roofs.	✓
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	The proposal does not include any windows.	✓

Accessibility for all users	<ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF 	Stepped entrance to the property will be relocated to the centre of the application site, with enhanced access provided by the removal of the wall and the dropping of the kerb. As this is a private property, no alternate access arrangements are required.	✓
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The proposal would essentially maintain the existing visual impact of the site. The removal of the front boundary wall and the creation of a dropped curb are not considered to have a significant or out-of-character visual impact within the street. The proposed development involves replacing the existing garden with hardstanding at the site frontage. While the Supplementary Planning Document generally resists such changes, the following justifies the development.

The hardstanding will be constructed using permeable materials. These materials allow rainwater to infiltrate the ground, significantly reducing surface runoff and mitigating flood risks. This approach aligns with sustainable development principles and addresses environmental concerns.

The introduction of hardstanding will provide improved off-street parking, addressing the issue of congestion and enhancing road safety. The benefits of additional parking spaces can significantly improve the quality of life for residents.

Taking into consideration the permeable materials, environmental impact, aesthetic integration, practical benefits, and sustainable drainage systems, the introduction of hardstanding to the site frontage is considered acceptable.

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 46 Turnsteads Avenue – Neighbouring property to the southeast.
- 50 Turnsteads Avenue – adjoining property.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	The application is not considered to have any significant impact on the privacy of neighbouring properties.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	The application is not considered to have any significant impact on neighbouring properties in terms of light and outlook. A fence creates a site boundary between the application site and adjoining property number 52 – it is considered that any car lights sit lower than the fence and will mitigate any glare from headlights.	✓
Remaining garden space of application property	<ul style="list-style-type: none"> • KDP 7 of the SPD • Policy LP24 Design (b) and (c) 	The property will retain an adequate amount of garden space to the rear of the site; therefore, this is deemed acceptable.	✓
	<ul style="list-style-type: none"> • Chapter 12 of the NPPF 		

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP <ul style="list-style-type: none"> • Chapter 12 of the NPPF 	Due to neighbouring properties having similar parking arrangements, the impact on highway safety is acceptable. To ensure surface water drainage does not discharge on to the highway, potentially causing a hazard, a condition of any approval would ensure the surfacing would be permeable.	✓
Parking provision	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP <ul style="list-style-type: none"> • Chapter 12 of the NPPF 	The property is increasing parking provision from one to two within the front curtilage and reducing off street parking spaces to two off-street parking spaces; therefore, this is supported due to the removal of parking from the highway.	✓
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) <ul style="list-style-type: none"> • Chapter 12 of the NPPF 	Although nothing specific is detailed in the submitted plans, the property will retain adequate space for waste storage.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	<ul style="list-style-type: none"> • KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees <ul style="list-style-type: none"> • Chapter 12 of the NPPF 	N/A	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	N/A	✓
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF 	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	✓

Drainage and Flood Risk	<ul style="list-style-type: none"> • KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP 	The rear garden and landscaping would be retained to allow for runoff. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓
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The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

None.

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: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2025/90587

Officer Recommendation: Conditional Full Permission

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.

1. 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, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework.

2. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, the Council's adopted Highways Design Guide and the policies within Chapter 9 of the National Planning Policy Framework

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to 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 they 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: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Plans - Proposed Site / Block Layout	Amended Site Plan	29/05/2025
Location Plan	2025-066 SLP	03-Mar-2025
Existing Site / Block Layout	2025-066 100	03-Mar-2025

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 preapplication advice service available, complied with the Kirklees

Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 29/05/2025