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:	**2025/62/90769/E**
Site Address:	22, Norwood Drive, Birkenshaw, BD11 2NS
Description:	Conversion of garage to habitable accommodation and replacement roof
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: 22-Jul-2025

Officer Report

22, Norwood Drive, Birkenshaw, BD11 2NS

Site Description

The application site relates to 22, Norwood Drive, Birkenshaw, BD11 2NS; a two-storey semi-detached faced red brick and tiles for the roof. The property benefits from an attached garage, with parking spaces to the front, a garden to the front and rear.

The property is set back from the road and the street scene is made up of residential properties of similar character and materials.

Description of Proposal

The proposed development seeks alterations to convert an internal garage, to extend living accommodation, with a new roof; to be used as an additional bedroom and en-suite as proposed in the submitted floor plan.

The application proposed to replace the garage door with brickwork and a new window to match the existing dwelling to the front, a replacement small window to the side and additional stepped entrance across the rear.

The proposal introduces an additional in-curtilage parking space.

History of Negotiations

After a consultation with KC Highways Development Management team, it was determined that an additional off-street parking spaced would need to be demonstrated.

An amended site plan that showed off-street parking spaces was received.

In order to retain some landscaping, amendments were sought to only show an additional parking space, thereby providing two off street spaces.

Amended plans that showed one additional parking space was submitted.

Relevant Planning History

None.

Representations

The application was advertised by neighbour notification letters, which expired on the 24th June 2025. As a result of the above publicity, no representations were received.

Consultations

KC Highways Development Management (informal) – The application proposes an additional bedroom to the three-bedroom property, and it is suggested that four-bedroom dwellings or larger should ideally provide three off-street parking spaces. However, factors such as the development's accessibility, public transport availability, and local car ownership levels should also be considered. Given the semi-sustainable area, only one additional parking space would be required to accommodate for the proposed four-bedroom property.

Policy

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 within a low-risk coal area and unallocated on the Kirklees Local Plan Proposals Map.

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** – Design

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. 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 host property and the wider street scene.

As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in the approach and outcomes relating to house extensions.

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 12** – Achieving Well-Designed and Beautiful Places

Assessment

The following matters are considered in the assessment below:

1. Principle of development
    1. Impact on visual amenity
    1. Impact on residential amenity
    2. Impact on highway safety
    3. Representations
    4. Other matters
    5. Conditions
    6. Conclusion

Principal of Development

The site is without notation on the Kirklees Local plan. When considering development proposals, policy LP1 of the KLP states that, 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. Key Design Policy 17 of the House Extensions and Alterations SPD states that extensions and alterations to existing houses should consider how the needs of a range of different users can be met in facilitating access and movement. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of development is considered acceptable and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

Impact on Visual Amenity

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers.

Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Assessment

The infill reconstruction of the wall, currently occupied by the garage door, will be visually acceptable, provided that the bricks and new windows match the existing materials of the dwelling, as specified in the application and submitted drawings.
Given the above, it would not cause any significant harm to the appearance of the local street scene.

The alterations to the front to create an additional parking space is considered acceptable, retaining a small area of landscaping to prevent the space being entirely hard landscaped. This is characteristic of the street scene and would not detract.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the Key Design Principles 1 and 2 in the House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

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. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive/overbearing.

Assessment

The proposed alterations will have minimal impact on the residential amenity of the host dwelling or neighbouring occupiers. The proposed window to the front will face directly towards the driveway and not overlook any neighbouring properties. Additionally, the proposal seeks to replace a large window along the side elevation with a smaller, obscurely glazed, window – mitigating any concerns for outlook and privacy. The new door along the rear elevation hosts a non-habitable room and further minimises potential harm in terms of privacy. The new roof will not negatively impact neighbouring properties as it follows the footprint of the existing structure and is set away form the shared

boundary. Neighbouring properties have similar structures which sets precedence for the proposed roof.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

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 relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

Assessment

The application site has a private driveway where off street parking is available. The application impacts one existing parking space and introduces an addition bedroom to the property making it a four-bedroom property – although the number of bedrooms were not shown in the submitted plans, information available online indicates that the existing property is currently three bedroom.

The Kirklees Highways Design Guide indicates that while Kirklees Council has not established specific local parking standards, it suggests that four-bedroom dwellings or larger should ideally provide three off-street parking spaces. However, factors such as the development's accessibility, public transport availability, and local car ownership levels should also be considered.

Following a consultation with the KC Highways Development Management team, it has been determined that an additional off-street parking space would need to be demonstrated.

Amendments to the sight plan were sought and the application now proposes an additional off-street parking space, which is considered acceptable and will avoid displacement of vehicles onto the highway.

It has been observed that the dwelling is located within a semi-sustainable area, with close proximity to public transport links. Given the site's logistics and the inability to provide on-site parking, officers do not believe the highway safety concerns are significant enough to warrant a refusal of this application. A condition is imposed to ensure parking is available.

Therefore, the development can be supported on highway grounds, in accordance 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.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

Other Matters

Carbon Budget

On the 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 predates 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.

Assessment

The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions.

Representations

No representation received following the statutory publicity.

Negotiations

No amendments were sought or received during the consideration of the application.

Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken constitutes 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: 2025/90769
Officer Recommendation: Approval

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 ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22 and LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

2. The external walls of the development hereby approved, shall in all respects match those used in the construction of the existing building.
   Reason: In the interests of visual amenity to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework

3. The development hereby approved shall not be occupied until all areas indicated to provide parking are laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for parking thereafter.
   Reason: In the interests of visual amenity and traffic safety, to mitigate flood risk arising from surface water run-off, to ensure adequate space within the site for vehicle movements and parking and to comply with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 9 and 12 of National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing

access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	Proposed Plans and Elevations 25/40		22-Apr-2025
Grouped Plans and Elevations	Existing Plans and Elevations 25/40		22-Apr-2025
Proposed Site / Block Layout	Amended Site Plan 25/40		15-Jul-2025
Location Plan	Location Plan 1:1250		22-Apr-2025
General	Climate Change Statement		22-Apr-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 Planning 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. As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated: 4th July 2025