

**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:	2025/62/90922/E
Site Address:	Newgate Garage, Newgate, Mirfield, WF14 8DB
Description:	Erection of outbuilding, extension of existing garage and associated alterations
Recommending Officer:	Nina Sayers

DECISION - REFUSE

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 21 October 2025

Officer Report

Site Description

Newgate Garage, Newgate, Mirfield, WF14 8DB

The site known as Newgate Garage consists of two parcels of land on both sides of Newgate in Mirfield. The western parcel is occupied by a single- and two-storey building with a mixed roof forms and associated car parking area to the south, which are currently used for vehicle inspection and repair (including MOTs). The eastern parcel of land is fenced with steel weld-mesh and is used as a car park.

The River Calder runs directly to the west of the site. The Calder and Hebble Navigation runs to the north of the site. The Calder and Hebble flood lock at Newgate Bridge (also to the north) is Grade II listed, as is the former lock-keeper's cottage at 7 Newgate. Immediately south is a residential development known as Huddleston Court, in addition to a Kingdom Hall.

Description of Proposal

The applicant is seeking permission for the erection of an outbuilding, extension of existing garage and associated alterations.

Outbuilding

The proposed outbuilding would be located in the eastern parcel of the site. It would be a 20.7 x 6.7 m single storey building with a pitched roof with a ridgeline of 4m. The building would be finished in corrugated metal. The building would facilitated car/equipment storage.

Extension to Existing Garage

The proposed extension would be located to the south of the of the existing building. It would be a 15.8 x 10 m single storey building with a shallow pitched, staggered roof with a maximum ridgeline of 6.4m. The building would be utilised for vehicle diagnostics including space for a van, an office and waiting room.

Alterations

The scheme proposes to clad the whole of the existing building in corrugated metal. It is noted that this part of the scheme is retrospective.

History of negotiations/amendments received

Concerns were raised with the agent regarding the EA objection to the proposal and a revised FRA was requested – this is discussed in section 1 of this report. Concerns were also raised regarding the roof design of the proposed extension and amended plans were received which steps the roof down as requested by officers. A street scene plan was also requested and

provided to show the relationship of the proposal next to the existing development. The revised plans have been reviewed.

Following a site visit, officer also noted that the building had been clad in corrugated metal. Officers therefore agreed with the applicant that this would be included in the application's assessment.

Pre-application advice was provided for a similar proposal.

Relevant Planning History

93/00828 – Erection of vehicle repairs. Conditional full permission.

2017/93709 – Change of use from garage car park to car sales, installation of roller shutters over both entrances, erection of container and erection of fence. Refused.

2018/94127 – Installation of roller shutters over both entrances, erection of container and erection of fence. Conditional full permission.

Representations

The application was advertised by site notice and was publicised online. Final publicity expired 7th August 2025.

Two representations were received in objection to the proposal. They raised the following comments:

- In favour of a business improving but concerned about the number of cars parked on both sides of the road.
- Often lots of cars parked which makes the road single width.
- This is made worse by the bridge which reduces visibility
- The garage is already big enough
- There is already a disturbance caused by the existing garage use and vehicles reversing onto the highway

These comments will be addressed by officers in section 6 of this report.

Consultation Responses

KC Highways Development Management – object on highway safety grounds

Environment Agency – object due to being within 2m of a watercourse and due to the lack of acceptable Flood Risk Assessment.

LLFA - No objections.

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 Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), both require development to be considerate in terms of the character of the host property and the wider street scene.

The site is unallocated within the Kirklees Local Plan.

Kirklees Local Plan:

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP7** – Efficient and effective use of land and buildings
- **LP21** – Highways and access
- **LP22** – Parking
- **LP24** – Design
- **LP27** – Flood Risk
- **LP30** – Biodiversity & Geodiversity
- **LP51** – Protection and Improvement of Local Air Quality
- **LP52** – Protection and Improvement of Environmental Quality
- **LP53** – 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 12th 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 7 – Ensuring the vitality of town centres
- Chapter 12 – Achieving well-designed and places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Other Material Considerations:

- Kirklees Highways Design Guide SPD (2019).
- Kirklees Housebuilders Design Guide SPD (2021).
- Nationally Described Space Standards

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity and historic environment
- 3) Impact on highway safety

- 4) Other matters
- 5) Representations
- 6) Conclusion

1 – Principle of 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.

The site is unallocated within the Kirklees Local Plan and therefore in the broadest terms, the impact of extending an existing commercial unit is acceptable, however the site is located within Flood Zones 2, 3, 3a and 3ai as defined by the Environment Agency (EA). An assessment of the impact of the proposal on flood risk is therefore necessary.

Flood Risk

As detailed within the National Planning Policy Guidance, a sequential test is required for non-major development if any proposed building will be within Flood Zone 2 or 3. This is supported by LP27 of the Kirklees Local Plan which states that “proposals for development which require a Sequential Test in accordance with national planning guidance will need to demonstrate that development has been directed to areas at the lowest probability of flooding, following a sequential risk based approach” and details the methodology for a sequential test.

The proposal is for a non-domestic extension, and outbuilding, with a combined footprint of over 250m² and therefore a sequential test is required for this application. A sequential test was submitted by the agent which details that the proposal is for an extension to the existing established commercial property and must physically connect to enable operational functionality and therefore it would not be appropriate to locate the development elsewhere. On this basis it is considered that the sequential test has been passed for the extension in this instance.

Regarding the outbuilding, whilst the submitted sequential test states “there are no reasonably alternative sites for the proposed development, in areas of lower flood risk” there is no methodology explaining how this has been determined in line with LP27 or NPPG guidance. The outbuilding has a footprint of 138.7m² and therefore, given the outbuilding in isolation would be exempt from requiring a sequential test, officers believe it would be unreasonable to refuse the application on these grounds in this instance.

The Environment Agency (EA) has been consulted on the proposal and have objected for the following reasons:

1. Building is within 2m of watercourse and it's unlikely that they would grant a flood risk activity permit
1. The absence of an acceptable Flood Risk Assessment (FRA).

The EA have outlined that the submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist. In particular, the FRA fails to:

- Consider how a range of flooding events up to and including the design flood event (1% AEP plus appropriate climate change allowance event) will affect people and property
- Assess the impact of the proposals to offsite flood risk
- Demonstrate that safe access and egress can be achieved to and from the development during the design flood event
- Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design maybe inadequate because they may not make the development resilient to the flood levels for the design flood event. Consequently, the development may propose inadequate:
 - Flood defences
 - Finished floor levels
 - Resistance and resilience measures
 - Safe access and egress routes
- Within section 7.1.3 of the FRA it is stated that 'finished floor levels are above the anticipated 1 in 100 year plus climate change flood level for this site'. The applicant must confirm this by providing the proposed finished floor levels for the development as well as the design flood level for the site.

The EA concluded that in order to overcome their objection, the applicant should submit a revised FRA which addresses the points highlighted above. Officers outlined the EA's objection to the agent and requested a new FRA. Multiple extensions of time were given to the agent to allow time to provide an FRA which addresses the concerns raised by the EA. A new FRA was submitted however it is a draft version which does not have EA fluvial model data. The EA specifically detailed in their response that they require details of the finished floor levels which must be above the anticipated flood level; however, the draft FRA does not include this. Therefore, this document was not accepted by officers.

On this basis, insufficient information has been provided to overcome the EA's objections and therefore the applicant has failed to demonstrate that the scheme would provide adequate flood defences, appropriate finished floor levels, Resistance and resilience measures and Safe access and egress

routes. As a statutory consultee, significant weighting is given to the EA's objection.

The application site is partially located within Flood Zone 3ai as defined within the Strategic Flood Risk Assessment (SFRA) 2016. LP27 of the Kirklees Local Plan specifies:

"Proposals within flood zone 3ai will be assessed in accordance with national policies relating to flood zone 3a but with all of the following additional restrictions:

- a. no new highly vulnerable or more vulnerable uses will be permitted;
- a. less vulnerable uses may only be permitted provided that the sequential test has been passed and;
 - i. where extensions are linked operationally to an existing business or,
 - i. where redevelopment of a site provides buildings with the same or a smaller footprint;
- b. all proposals will be expected to include flood mitigation measures such as compensatory storage which should be identified and considered through a site specific Flood Risk Assessment;
- c. development will not be permitted on any part of the site identified through a site specific Flood Risk Assessment as performing a functional floodplain role."

Similarly, Paragraph 181 of the NPPF outlines that "Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- a) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- b) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- c) any residual risk can be safely managed; and
- d) safe access and escape routes are included where appropriate, as part of an agreed emergency plan."

The proposed use as a garage would be considered a less vulnerable use, as defined in Annex 3 of the NPPF, and therefore LP27(a) is not applicable and paragraph 181(a). As detailed above, the applicant has submitted an acceptable sequential test, and the use is linked operationally to an existing business and therefore LP27(b) is passed.

Regarding LP27(c), whilst mitigation measures have been included within the submitted FRA, as detailed within the EA's consultation response, the FRA fails to include flood risk mitigation measures to address flood risk for the

lifetime of the development. Therefore, the proposal fails to comply with LP27(c) of the Kirklees Local Plan and sub-paragraph (d) of the NPPF.

Regarding LP27(d), the application site is not within Flood Zone 3b and therefore is not considered to be within a functional floodplain.

As detailed in the EA's response, the FRA also fails to Safe access and egress routes, failing to comply with sub-paragraph 181(e).

The LLFA were also consulted on the proposal, and their comments are summarised as follows: Kirklees Council records indicate that, since 2010, the site has been reported to have been flooded in March 2016, April 2016, September 2022 and twice in January 2025. These flooding events are likely due to the river exceeding its banks or due to road gulley drainage outfalls being submerged due to high river levels.

As the development is an extension onto an area of existing hardstanding, there is no increase in the drained area and therefore flood risk. It is noted that the use for the new extension is not in a more vulnerable category than the adjacent existing garage workshop. The LLFA therefore have no objections to the proposal.

Taking the above into consideration, the applicant has failed to demonstrate that the principle of development could be considered acceptable in line with LP27 of the Kirklees Local Plan and Chapter 14 of the NPPF. Notwithstanding this, the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety. These issues along with other policy considerations will be addressed below.

2 – Impact on visual amenity and historic character

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed and 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 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.

The application site is adjacent to a Grade II listed canal lock to the north and therefore the impact of the proposal on the historic asset must be assessed. In terms of the historic environment, Chapter 16 of the NPPF outlines that great weight should be given to the conservation of a designated heritage asset and LP35 states that “Development proposals affecting a designated heritage asset [...] should preserve or enhance the significance of the asset”.

Paragraph 212 states “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).” The weight that should be given is proportionate to the importance of the affected heritage asset, which in this case is a Grade II listed lock.

Outbuilding

The proposed outbuilding would be located in the northern part of the eastern parcel of the site. It is noted that there is boundary treatment and soft landscaping along the northern boundary of the site which somewhat shields the proposal from the listed lock however the proposed outbuilding would still be visible and therefore would still impact on the heritage asset.

At pre-application stage officers advised “the proposed outbuilding [should be finished] in stone, with a pitched roof form covered in tiles or slates, in order to have a more traditional appearance which would respect the setting of the nearby listed structures and be in keeping with the local character. Consideration could also be given to reducing the size of the outbuilding or repositioning it away from the listed lock.”

Whilst it is noted that the building has been set further away from the boundary than the scheme which was submitted at pre-application stage and a pitched roof has been proposed, the scale of the building has not been reduced, and the materials have not been changed in accordance with the Council’s advice.

Officers have significant concerns that the scale of the proposed outbuilding, as well as the materials, would neither preserve nor enhance the significance of the heritage asset, thus failing to comply with LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

Extension

The proposed extension would be large in scale and officers initially had concerns regarding the proposed height and roof design in relation to the existing building. Amended plans were received which adjoin the existing roof and staggers the roof height to reduce the height. Whilst ideally officers would prefer the roof height to mirror the existing pitched roofed section, Officers understand that the roof height is required to allow for vehicle inspection of a van and therefore the proposed roof height is considered acceptable on

balance. It is considered that the revised extension sympathetically integrates into the rest of the development.

Alterations

The proposed change in materials changes the entire building (as well as the proposed extension) to be finished in grey corrugated metal cladding. It is noted that this is retrospective, and the building was previously finished in brick and white render walls under corrugated steel roofing. The existing buildings in the surrounding area are finished in red brick and stone which is characteristic of the area. The proposed change in materials is considered to not be in keeping with the existing development and therefore cannot be supported.

Having taken the above into account, the proposed development is considered to cause harm to the visual amenity of the host property and the wider street scene as well as failing to enhance or preserve the historic character of the listed lock. The scheme therefore fails to comply with Policy LP24 and LP35 of the Kirklees Local Plan and the aims of chapter 12 and 16 of the National Planning Policy Framework.

3 – 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(f) 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.

Outbuilding

The proposed outbuilding would be single storey and would be a significant distance from neighbouring properties to prevent any significant harm to residential amenity.

Extension

The proposed extension would project towards Newgate Hall which is located due south of the application site. Newgate Hall appears to serve a Nursery at ground floor level and appears to have a residential flat above. There are openings in the northern elevation of Newgate Hall which front the application site. This building is within the ownership of the applicant, and the submitted supporting statement outlines that the openings in question serve ancillary storage spaces and will continue to do so following development.

It is also noted that the revised scheme moves the extension 2.5m away from Newgate Hall and sets the roof height down by ~1.6m in comparison to the scheme initially submitted thus reducing the harm on this building.

It is therefore considered that the proposal would not result in significant harm to the amenity of any neighbouring occupiers. Thus, complying with LP24 of the Kirklees Local Plan and the aims of chapter 12 of the NPPF.

4 – Impact on highway safety

Paragraph 115 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 proposed scheme has been reviewed by HC Highways who have raised the following concerns:

- the extension and the proposed new building would result in the loss of off-street parking provisions for the garage.
- The proposal also shows three new service bays with direct access onto Newgate however there is no provision for internal vehicle turning.
- The Sight lines onto Newgate from all three service bays would be sub-standard in both directions.
- Inter-visibility between vehicles exiting the service bays and pedestrian using the Newgate footpath would also be poor.

The Highway Safety Section have been consulted and have confirmed that footway parking already generates a lot of complaints to the frontage of Newgate Garage. This results in safety concerns, especially for pedestrians being forced off the footways and walking in the carriageway.

Given the Highway Safety Section comments and the record of complaints regarding on-street parking along Newgate, and that these proposal would result in a loss of off-street parking facilities, access to the service bays is directly onto Newgate with no internal vehicle turning and with poor sight lines and poor pedestrian inter-visibility Highways Development Management have recommended refusal of these proposals on highway safety grounds.

The agent addressed highway’s concerns in an email dated 26/09/2025 which stated the following:

- The proposals will not result in the loss of off-street parking provision for the garage. Since concerns were raised, the proprietor has secured the adjacent site which is now used for short-term vehicle storage and staff/customer parking.
- The three van service bays in question are existing, with direct access onto Newgate and no internal turning provision. The proposed extension simply encapsulates these bays within the building, thereby improving operational efficiency and working conditions without altering the current, established access arrangements. They believe the proposal would not result in an intensification of access points, and the operational vehicle movements remain unchanged
- Visibility from the service bay accesses has been reviewed. Measurements confirm that sight distances are approximately 58m to the south (towards Newgate Bridge) and 44m to the north (towards St Paul’s Lock Bridge).

- To mitigate any potential conflict between vehicles exiting the service bays and pedestrians on the footway, the following measures are proposed:
 - High-visibility convex mirrors installed at each bay exit.
 - Footway markings/surface treatments across the affected frontage to highlight the potential crossing point and increase pedestrian awareness
 - Warning signage on both the building façade and adjacent to the bays advising drivers to proceed with caution and pedestrians to take care.
 - Operational management measures, including staff supervision for larger vehicles and a strict low-speed manoeuvring policy.

This has been reviewed by KC HDM, who have visited the site and the land which the agent refers to was full to capacity with an additional 7 cars parked on-street to the site frontage. This on-street parking considerably reduces the available width of the access and visibility on to Newgate. The three van bays the agent refers to as existing are used as a car park. There were 13 cars parked on the site at the time of the site visit. KC HDM also consider visibility from within a service bays are unlikely to be 58m and 44m. The 2.4m set back distance would be within the building given the width of the footway along Newgate.

Finally, whilst it is acknowledged that staff supervision for larger vehicles could be beneficial and visibility mirrors and signage might mitigate some of the issues, the proposed footway marking/surface treatments are unlikely to be allowed on an adopted footway. Drivers would still potentially not see pedestrians and KC HDM therefore consider on balance these proposals do not therefore overcome the highway safety concerns regarding vehicle/pedestrian inter-visibility.

KC HDM therefore still object to the proposal on highway safety grounds.

Taking the above into consideration, officers consider that the proposed development would result in harm to the safety and efficiency of the highway network including the safety of pedestrians thus failing to comply with the recommendations in the Highways Design Guide and policies LP21 and LP22 of the Kirklees Local Plan.

5 – Other matters

Land contamination

KC Environmental Health were consulted at pre-application stage and commented on the proposal as follows. The proposed development site is shown as being potentially contaminated from its former use (our site reference 4/11), it is also located close to an historic landfill site that may have an adverse impact on the proposed development. Therefore, contaminated land issues need to be considered. As no land contamination reports have been submitted as part of this application, this would need to be addressed by condition should this application be approved.

Biodiversity

A Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicant has outlined that they believe the development falls under the de minimis exemption because the “proposed development is being built on existing hardstanding land, with no impact on any greenspaces, wildlife and biodiversity.” Officers have no reason to disagree with this statement and therefore no further measures are required.

The proposed development is therefore considered to comply with LP30 of the Kirklees Local Plan and Chapter 15 of the NPPF.

There are no other matters for consideration.

6 - Representations

Two representations were received in objection to the proposal. They raised the following comments which have been address by officers below:

- In favour of a business improving but concerned about the number of cars parked on both sides of the road.

Officer response: This is noted.

- Often lots of cars parked which makes the road single width.
- This is made worse by the bridge which reduces visibility
- There is already a disturbance caused by the existing garage use and vehicles reversing onto the highway

Officer response: Officers also addressed highway safety matters as outlined in section 4 of this report.

- The garage is already big enough

Officer response: Officers have assessed the principle of extending this garage in section 1 of this report.

7 – Conclusion

This application for the erection of an outbuilding, extension of existing garage and associated alterations at Newgate Garage in Mirfield has been assessed against relevant policies in the development plan as listed in the policy section of the report, the Highways Design Guide SPD, the National Planning Policy Framework and other material considerations.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the

development proposals do not accord with the development plan and the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF and other material considerations.

Recommendation

Refusal

Decision Authorisation - Delegated Powers

Application Number: 2025/90922

Officer Recommendation: Refusal

Reasons for refusal:

1. The applicant has failed to submit a satisfactory Flood Risk Assessment. Inadequate information has been provided to demonstrate that the proposed development would provide adequate flood defences, finished floor levels, mitigation measures or safe access and egress routes. The potential impact of the proposal on onsite and offsite flood risk has therefore not been clearly assessed or demonstrated. The application site is set within Flood Zones 2, 3, 3a and 3ai as demonstrated on the Environment Agency's Flood Map for Planning and the Strategic Flood Risk Assessment (SFRA) 2016 and therefore the lack of an adequate FRA fails to demonstrate that the proposals would not cause significant harm to flood risk both on and off site. The proposal therefore fails to comply with Policy LP27(c) of the Kirklees Local Plan and paragraph 181 of the National Planning Policy Framework.
1. The proposed aluminium cladding on the exterior walling of the existing and proposed buildings and extension would not be in keeping with the existing material palette within the wider street scene nor would it be in keeping with the original building's materials of construction. Similarly, the scale of the proposed outbuilding would fail to sympathetically integrate into the historic setting of the site. The proposal would therefore cause significant harm to the visual amenity of the existing building, wider street scene and would neither preserve nor enhance the setting of the Grade II listed Canal Lock, thus failing to comply with LP24 and LP35 of the Kirklees Local Plan and Chapter 12 and 16 of the National Planning Policy Framework.
2. The proposed development would result in a loss of off-street parking provision which would result in more on-street parking, reducing visibility and exacerbating the existing highway safety concerns caused by on-street parking. The proposal would also result in an increase to the number of vehicles entering Newgate and the pedestrian footway. The proposed development would have inadequate sight lines and no provision for internal turning and therefore would be detrimental to the safety of the adjacent highway network, thus failing to comply with Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

Plans and Specifications Table:

Plan Type	Reference	Version	Date Received
Location Plan	(EX)002		20/06/2025
Block Plan	(20)002		22/09/2025
Existing GA	(EX)001		20/06/2025

Existing Street Scene	(EX)001		20/06/2025
Existing and Proposed Street Scene	(35)001		22/09/2025
Proposed Street Scene (outbuilding)	(35)002		22/09/2025
Proposed Street Scene (outbuilding)	(35)003		22/09/2025
Proposed Street Scene (outbuilding)	(35)004		22/09/2025
Proposed GA	(20)001		22/09/2025
Proposed GA	(20)003		22/09/2025
Proposed GA (Outbuilding)	(20)004		22/09/2025
Proposed Elevations	(30)001		22/09/2025
Typical Construction Details	(72)002		22/09/2025
Planning Design Pack			24/06/2025
Flood Risk Assessment			30/06/2025
Justification Document			22/09/2025

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 has, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Concerns were raised with the agent regarding the EA objection to the proposal and a revised FRA was requested – this is discussed in section 1 of this report. Concerns were also raised regarding the roof design of the proposed extension and amended plans were received which steps the roof down as requested by officers. A street scene was also requested and provided to show the relationship of the proposal next to the existing development. The revised plans have been reviewed.

Following a site visit, officer also noted that the building had been clad in corrugated metal. Officers therefore agreed with the applicant that this would be included in the application's assessment.

Report Dated: 20/10/2025