

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:	2025/62/90939/W
Site Address:	46, Lightridge Road, Fixby, Huddersfield, HD2 2HL
Description:	Demolition of a detached garage and erection of detached garage with first floor above to create dwelling forming annex accommodation associated with 46, Lightridge Road, Fixby, Huddersfield, HD2 2HL
Recommending Officer:	Joanna Rednall

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.

John Holmes

AUTHORISED OFFICER

Date: 18th June 2025

The Site

46, Lightridge Road relates to a large, two-storey detached dwelling located in Fixby, Huddersfield. The dwelling is finished in stone with a pitched roof incorporated above finished in slates with white uPVC openings. The application site is set within a spacious plot, benefitting from amenity space to the front, side and rear.

The application site is located within a wider residential area and is unallocated on the Kirklees Local Plan map.

The Proposal

The applicant is seeking planning permission for demolition of a detached garage and erection of detached garage with first floor above to create dwelling forming annex accommodation associated with 46, Lightridge Road, Fixby, Huddersfield, HD2 2HL.

The existing garage to the rear of the dwelling would be demolished to facilitate the proposal.

The new outbuilding, measuring approximately 10.2m in length, 7.3m in depth, 4.2m at eave height and 6.4m to the ridge, would be positioned in the same location with a larger footprint.

The outbuilding would be constructed with coursed stone walls and a pitched roof finished in grey slate with stone coping. It would feature white UPVC rooflights and three garage doors in a white finish.

At ground level, the outbuilding would provide a garage and a storeroom, with annex accommodation located on the first floor. Internally, the annex would be arranged to include an open-plan living and kitchen area, a bathroom, and a bedroom. Access to the annex would be via external steps located at the rear of the outbuilding.

In terms of fenestration, in addition to the three proposed rooflights on the front elevation, a white UPVC Juliet balcony with a glass balustrade is proposed on the side (south-east facing) elevation.

Planning History

None

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice.

Final publicity date expired: 7th June 2025

No representations were received as a result of the publicity.

Consultations

No statutory consultations were requested for this application.

Allocation & Policies

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).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity

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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment

The following matters are considered in the assessment below –

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

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, 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. 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 in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon 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.

Paragraph 5.6 of the Council’s House Extensions and Alterations SPD sets out the following guidance for outbuilding extensions:

‘Outbuildings should normally:

- *be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;*
- *be set back behind the building line of the original building so that they do not impact on the street scene; and*

- *preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and follow a general principle that no more than 50% of garden space should be lost.'*

The applicant is seeking planning permission for demolition of a detached garage and erection of detached garage with first floor above to create dwelling forming annex accommodation associated with 46, Lightridge Road, Fixby, Huddersfield, HD2 2HL.

It is considered that the dimensions of the proposed outbuilding would be viewed as subservient to the host dwelling and within the context of the external amenity space serving 46, Lightridge Road. The outbuilding would be of a smaller footprint and scale to the host dwellinghouse and would retain an appropriate sense of openness around the site, with sufficient levels of outdoor amenity space to be retained. The outbuilding is located behind the host dwelling and would be clearly viewed as a subservient outbuilding which does not compete in dominance with the host. Due to these reasons, the proposed size and scale of the outbuilding is considered to have an acceptable visual impact.

With regard to materials, the outbuilding would be finished in coursed stone with a grey slate roof, reflecting the character and appearance of the host dwelling and surrounding development. The fenestration would be of a residential style and constructed in white UPVC, matching the detailing of no.46. A condition to ensure this is the case is recommended. Overall, it is considered that the proposed materials and design details would result in an appropriate visual impact and would harmonise well with the original dwelling.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and policies within the National Planning Policy Framework.

3 – 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.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”.*
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”.*
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

The properties potentially affected by the proposed development are those which directly neighbour the site, these being:

48, Lightridge Road

This neighbour is located to the north of the application site.

It is considered that, due to the proposed siting and scale, the demolition of the existing garage and the erection of the outbuilding would not result in any significant harm to the amenity of the occupants of No.48. There are no openings directly facing this dwelling, and No.48 also benefits from an outbuilding of similar design, siting and scale adjacent to the common boundary. Therefore, there are no significant concerns around the potential for overlooking, loss of light, or overbearing impacts.

It should also be noted existing boundary treatment in the form of dense hedging and shrubbery provides further screening, which would help to mitigate any potential impact arising from the development.

44, Lightridge Road

This neighbour is located to the south-east of the application site.

The outbuilding is located approximately 17.5m from the common boundary, and it is noted that the proposed Juliet balcony would face towards this neighbour.

proposed development would have an acceptable impact. The outbuilding maintains a separation distance of approximately 17.5 meters from the shared boundary with No. 44, and an even greater distance of around 25 meters to the side elevation of the neighbouring property itself. This spatial separation ensures that there would be significant overlooking or loss of privacy for the occupants of No. 44. Given this relationship between the properties, the proposed development is therefore not considered to unduly harm the privacy or overall amenity of the neighbouring occupiers.

In terms of overshadowing and loss of natural light, the height and scale of the proposed outbuilding coupled with the distance it would be sited from no.44 ensure no significant overshadowing or overbearing impacts as a result of the development.

62 & 60 Kennedy Avenue

These dwellings are located to the rear of the application site.

The outbuilding features a blank rear elevation facing the neighbouring properties. However, to protect the amenity of these neighbours and prevent any potential harmful overlooking, officers consider it reasonable to impose a condition withdrawing permitted development rights for the insertion of any openings on the rear (north-east facing) elevation.

With regard to overshadowing and overbearing impacts, the outbuilding is located at the rear of the site and lies in close proximity to the shared boundaries, and officers acknowledge that the development will introduce some additional bulk and massing adjacent to these neighbours. However, the tallest section of the outbuilding is restricted a maximum height of 6.4 meters and is set back approximately 1 metre from the boundary. Additionally, it is positioned approximately 20 meters away from the rear elevations of Nos. 60 and 62. Taking account of the height of the proposal and separation distance it is considered there would be harmful overshadowing or overbearing effects, thereby preserving the residential amenity of the neighbouring properties.

A habitable room window is to the side elevation of the proposal and it is noted that this would be visible to properties to the east, although given the oblique angle of the side elevation in relation to properties to the east it is not considered that resultant overlooking which would arise would be to a significant level.

Therefore, subject to conditions, the proposed development is considered to have an acceptable impact on the amenity of occupiers of no.62 and 60 Kennedy Avenue.

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.

The arrangements, with the use of the building being ancillary to the host property, are considered acceptable. Although any separation of the ancillary accommodation from the host property could see issues arise in terms of overlooking / amenity space provision and the level of accommodation provided. Therefore it is considered necessary to include a condition on any approval to ensure the use remains ancillary.

4 – 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 considered to be 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.

The proposed development would provide two parking spaces within the garage and would retain the whole driveway to the front of the dwelling. This is considered an appropriate level of off-street parking provision to serve the host dwelling and the addition of the annex accommodation. It is considered that whilst the works to the vehicular access / parking areas is considered acceptable, it is appropriate to ensure that surface water drainage is drained to a permeable part of the site or the surfacing is permeable. A condition to ensure this is the case is therefore recommended to be included upon any grant of permission.

The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

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.

The arrangements, with the use of the building being ancillary to the host property, are considered acceptable. Although any separation of the ancillary

accommodation from the host property could see issues arise in terms of parking arrangements and therefore it is considered necessary to include a condition on any approval to ensure the use remains ancillary.

Subject to conditions, it is therefore considered that in terms of access and highway safety / parking the proposed would comply 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.

5 – Other matters:

Ecology

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. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative is however, recommended, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

Climate Change

On 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 pre-dates 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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change

that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

6 – Representations:

None received

7 – 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

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/90939

Officer Recommendation: Approve

Conditions

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 (as amended).

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 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

3. The external walls and roofing materials of the outbuilding hereby approved shall in all respects match those used in the construction of 46, Lightridge Road, Fixby, Huddersfield, HD2 2HL.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

4. The development hereby approved shall not be used for any purpose other than as ancillary accommodation in connection with 46, Lightridge Road, Fixby, Huddersfield, HD2 2HL.

Reason: In the interests of the amenity of the occupiers of the development hereby approved and neighbouring properties and access and highway safety to accord with policies LP21, LP22 and LP24 of the Kirklees Local Plan, the Council's adopted Highway Design Guide and policies contained within chapter 12 of the National Planning Policy Framework.

5. 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, Principles 15 of the Council's adopted House Extensions and Alterations SPD, the Council's adopted Highways Design Guide and the policies within Chapter 9 of the National Planning Policy Framework

6. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order) no doors, windows or any other openings shall be created in the northeastern (rear) elevation of the outbuilding hereby approved.

Reason: In the interests of the amenity of the occupiers of neighbouring properties to accord with policy LP24 of the Kirklees Local Plan, the adopted SPD on House Extensions and Alterations and Policies within Chapter 12 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 regulations of the Conservation of Habitats and Species Regulations 2017. 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	0037- EA – A – P001	-	01/04/2025
Proposed Site Plan	0037- RS – A – P002	-	01/04/2025
Proposed Elevations	0037- RS – A – P004	-	01/04/2025
Proposed Floor Plans	0037- RS – A – P003	-	01/04/2025
Design Statement	0037 - DS01- March 2025	-	01/04/2025
Application form	-	-	28/04/2025
Climate Change Statement	-	-	28/04/2025

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 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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

16/06/2025

Low coal