

**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:	2025/62/91846/W
Site Address:	85, Blacker Road, Birkby, Huddersfield, HD1 5HQ
Description:	Erection of two storey side extension to form an additional dwelling (within a Conservation Area)
Recommending Officer:	Kerri Simpson

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 19 December 2025

Officer Report – 2025/91846

85, Blacker Road, Birkby, Huddersfield, HD1 5HQ

Site Description

The application site comprises a two-storey end-terrace property located on the southeastern side of Blacker Road (C Classified), adjacent to the boundary of Birkby Local Centre. The property is set within a modest curtilage, with small, grassed areas to the front, side and rear.

Planning permission was granted under application reference 2024/92916 for alterations to facilitate the conversion of the ground floor of the existing dwelling to office use. The approved alterations appear to have commenced on site; however, it is unclear whether the office use has been implemented.

The site is situated within a mixed-use area characterised by a combination of residential and commercial properties. It lies close to the junction of Blacker Road and Tanfield Road, with rear access provided by a service lane to the east. The surrounding properties include Nos.2 and 4 Tanfield Road to the east (opposite the rear access lane), No. 85 (the host property) and No.87 Blacker Road to the south, and Blacker Road to the west.

The site is subject to the following planning policy designations and constraints:

- Birkby Conservation Area
- Bat Alert Zone
- Development Low Risk Area - Coal

Description of Proposal

The Scheme

The application seeks full planning permission for the erection of a two-storey side extension to form a single family dwellinghouse. The proposed dwelling would be sited to the north of No.85 Blacker Road, attached to the host property and positioned within the existing grassed side curtilage.

The development would comprise a two-bedroom, four-person dwelling, with the capacity to accommodate front and rear private amenity space. The proposal would be car-free.

The proposed extension would measure circa 4m in width, 9.87m in depth, with a maximum ridge height of circa 8.05m and an eaves height of circa 5.55m. The extension would be constructed in stone with slate roof, with proposed windows and doors designed to match the existing dwelling.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application to support the application:

- Noise Mitigation Scheme (Heritage Statement) (Prepared by PAD Architecture)
- Design and Access Statement (Prepared by PAD Architecture)
- Biodiversity Net Gain (BNG) Statement (Prepared by PAD Architecture)
- Climate Change Statement

History of Negotiations / Amendments Received

Officers raised concerns that the originally submitted scheme for three flats/studios would result in a poor quality of accommodation for future occupiers, as the units would fail to meet the Nationally Described Space Standards (NDSS) by a significant degree and would not accord with the aims Principle 16 of the Housebuilders Design Guide SPD nor Policy LP24 of the Kirklees Local Plan.

In response, the applicant submitted amended plans demonstrating a 1 bedroom, 2 person single family dwellinghouse, which has been assessed accordingly in the body of this report. It was also agreed with the applicants agent that the description of development be amended to reflect the formation of one dwelling, rather than the three units originally described.

Officers consider that the amended proposal represents a reduction in development intensity and would not give rise to any additional material planning impacts. As such, it was not considered necessary to undertake further public consultation, and the application has been assessed on the basis of the amended plans and description.

Relevant Planning History

The relevant planning history is as follows:

Ref: 2024/92916

Description: Alterations to dwelling to convert ground floor to office (within a Conservation Area)

Decision: Full Conditional Permission (11.03.2025)

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (December 2024).

The application has been publicised through the Council's website, site notice and press notice. The expiry date of the statutory consultation period was 3rd October 2025. There were no letters of representation received.

Consultation Responses

The following consultations have been undertaken for this application with the summarised responses listed below.

KC Highways Development Management (Verbal Comments 04.12.2025)

– No objection, while two off-street parking spaces would normally be expected for a single family dwelling of this scale, such provision would not be feasible in this instance without compromising highway safety, given the sites proximity to the Blacker Road/Tanfield Road junction, existing yellow line restrictions, and the limited space to manoeuvre within the site. As the site occupies an edge of centre location, consideration could be given as to whether the site is within a sustainable location. Opportunities for on-street parking also exist within the surrounding highway network should future occupiers require it.

The responses of the above consultees are discussed in greater length within the 'Assessment' section of this report.

Allocation and Policy

The site is not allocated within the Kirklees Local Plan (adopted 2019).

The following legislation, policy and guidance is considered relevant to the determination of this application: -

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP7 Efficient and effective use of land and buildings
- LP20 Sustainable travel
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP26 Renewable and low carbon energy
- LP28 Drainage
- LP30 Biodiversity and Geodiversity
- LP35 Historic Environment
- 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 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 5 Delivery a sufficient supply of homes
Chapter 8 Promoting healthy and safe communities
Chapter 9 Promoting sustainable transport
Chapter 12 Achieving well-designed places
Chapter 15 Conserving and enhancing the natural environment
Chapter 16 Conserving and enhancing the historic environment

Supplementary Planning Documents and Guidance

Kirklees Highway Design Guide (adopted November 2019)
Housebuilders Design Guide SPD (adopted June 2021)
The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.
Planning (Listed Buildings and Conservation Areas) Act 1990
Section 17 of the Crime and Disorder Act 1998 (as amended)
Wildlife and Countryside Act 1981 (as amended)
The Conservation of Habitats and Species Regulations 2017
Environment Act 2021

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. Heritage Impacts and Visual Amenity
2. Residential Amenity
3. Highway Safety
4. Ecology and Biodiversity
5. Pollution Control
6. Climate change
7. Other matters

8. Pre-commencement Conditions
9. Representations
10. Conclusion

1. Principle of Development

1.1 Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social, and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

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.

1.2 Housing Matters

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

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

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

Policy LP7 of the Kirklees Local Plan supports the efficient and effective use of land and buildings including the re-use of previously developed land, underused properties, priority to despoiled, degraded, derelict and contaminated land, particularly in a sustainable location and if it is not of high environmental value. The policy also seeks to ensure that developments

achieve a minimum net density of 35 dwellings per hectare where appropriate, particularly in sustainable locations. Higher densities are encouraged near town centres and public transport hubs, while lower densities will only be excepted where justified, for example to reflect local character, address viability, or meet specific housing needs.

The site occupies an edge-of-centre location, immediately adjoining Birkby Local Centre, and lies within approximately 550m of Hillhouse Local Centre and 750m of Huddersfield Town Centre. In spatial and accessibility terms, the site benefits from good connectivity to a range of services, facilities and public transport links.

The proposal to form a single dwelling would make a modest contribution to housing delivery in a location where residential development is well established and acceptable in principle. The development would be spatially connected to the surrounding built form, would make efficient use of a parcel of land, and would not result in isolated or sporadic development. On this basis, the proposal is considered to accord with the aims of Policy L7 and LP3 of the Kirklees Local Plan.

2. Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development; it creates better places in which to live and work and helps to make development acceptable to communities.

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

Paragraphs 134 and 135 of the NPPF set out the requirements for high quality, beautiful and sustainable buildings and places. Paragraph 137 states that planning decisions should ensure developments are sympathetic to local character while not preventing innovation or change. Paragraph 140 highlights the importance of layout and building form in contributing to a strong sense of place.

Further to this, Paragraph 130 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.

Local Plan Policies LP1 and LP2 are also relevant. These policies underpin Policy LP24 and seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Policy LP24 of the Kirklees Local Plan requires all proposals to promote good design by ensuring layout, scale, density and appearance respects the

character of surrounding development and landscape. It also expects development to provide adequate outdoor space and be visually attractive.

Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

Paragraph 210 of the NPPF is also of relevance and states that in determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; a) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness

The Kirklees Housebuilder Design Guide SPD sets out 'Principles' and expectations for development to respond positively to topography, existing building lines, and settlement patterns. It also seeks to ensure that new development integrates well with surroundings, with appropriate spacing, layout and massing that reflects local character.

The application site lies within the Birkby Conservation Area. This part of the Conservation Area is characterised by predominantly two-storey terraced properties, interspersed with later alterations, commercial uses and area of hardstanding reflecting incremental changes along Blacker Road.

Whilst there are heritage assets and buildings of historic interest within the wider Conservation Area, the immediate vicinity of the site is influenced by its mixed-use function, traffic movement, utilitarian terraced residential development, and varied building treatment, resulting in a street scene of moderate and transitional heritage value rather than a highly intact or cohesive historic frontage.

The host property is not a listed building, and the proposed development would be confined to the side of the existing terrace, within an area currently characterised by grassed curtilage and boundary treatment. While the siting of the proposal would encroach onto an open corner plot in the conservation area, the two storey side extension would be compact, subservient with proportions and materials that would reflect the surrounding built form. By sitting subordinate to the host building and respecting the prevailing building line and roof hierarchy, the development would integrate successfully within the street scene.

As such, it is considered that the proposal would preserve the character and appearance of this part of the Birkby Conservation and would not result in harm to its significance. The development would therefore accord with the aims of Policies LP24 and LP35 of the Kirklees Local Plan, Chapters 12 and 16 of the

National Planning Policy Framework and the Housebuilders Design Guide SPD.

3. Impact on Residential Amenity

Policy LP24 of the Kirklees Local Plan requires all development to provide a high standard of amenity for future and neighbouring occupiers. This includes appropriate levels of privacy, light, outdoor space and internal living conditions. The policy also seeks to ensure that development retains appropriate distances between buildings to avoid harmful impacts such as overshadowing and loss of privacy to neighbouring properties.

Further to this, Paragraph 130 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.

3.1 Residential Amenity – Future Occupants

The Department for Communities and Local Government's (now Ministry of Housing, Communities and Local Government) Technical Housing Standards – Nationally Described Space Standards (March 2015) (NDSS) set out in Table 1, the minimum required Gross Internal Floor Areas for new dwellings based on the number of bedrooms, number of occupants and the number of storeys in each dwelling. For a one-bedroom, two-person dwelling arranged over two storeys, the minimum Gross Internal Area (GIA) is 58sqm.

These standards are also set out in Principle 16 of Kirklees Councils Housebuilders Design Guide SPD. However, Principle 16 recognises that, whilst the Government has published the NDSS, these are not currently adopted within the Kirklees Local Plan. Accordingly, the quality of living accommodation should also be assessed against Policy LP24, having regard to the overall internal layout and living environment provided.

The proposed dwelling would provide a GIA of circa 56sqm which would fall marginally below the NDSS requirement. However, taking into account the flexibility under Principle 16, it is reasonable to note that the proposed dwelling would provide a 12.3sqm double bedroom, exceeding the 11.5sqm minimum generally applied for double occupancy. The accommodation would also include a separate study, together with kitchen/dining area and lounge. All habitable rooms would be served by windows, providing appropriate levels of natural light and outlook. On this basis, the dwelling is considered capable of delivering an acceptable standard of internal living accommodation in accordance with Policy LP24 of the Kirklees Local Plan.

It is acknowledged that the submitted block plan does not identify a clearly defined residential curtilage. However, there appears to be sufficient space to the rear of the property to provide private amenity space commensurate to the occupancy level of the dwelling. As such, it is recommended that a planning condition be imposed requiring details of the residential curtilage and

associated boundary treatment to be submitted to and approved by the Local Planning Authority prior to first occupation of the dwelling.

In light of the above, it is considered that the development would provide an acceptable quality of accommodation for future occupants, consistent with the aims of Policy LP24 of the Kirklees Local Plan and Principle 16 of the Housebuilders Design Guide SPD.

3.2 Residential Amenity (Impact on neighbouring properties)

No.2 Tanfield Road

The proposed dwelling would include a kitchen/dining room window at ground floor level and two bedroom windows at first floor level facing towards this neighbouring property. Views from these window would be directed either towards the existing rear boundary for the application site (at ground level) or over the front yard of No.2 Tanfield Road. Having regard to the relative siting and orientation of the buildings, it is not considered that the proposal would result in any undue overlooking or loss of privacy to this neighbouring occupier.

The proposed dwelling would be positioned to the west of No.2 Tanfield Road and would not give rise to a material loss of daylight or sunlight to habitable room windows. The development would be separated from the neighbouring property by an existing access track, and while the proposed dwelling would project beyond the front elevation of No.2, it would maintain a separation distance of approximately 10.8m from the shared boundary. On this basis it is not considered that the proposal would result in an undue sense of enclosure.

No.4 and No.6 Hops Drive

The proposed dwelling would have a front-to-front relationship with Nos 4 and 6 Hops Drive. However, a separation distance circa 22m would be retained between the facing elevations, which exceeds the minimum separation distances set out in the Housebuilders Design Guide SPD. Having regard to this separation distance and the relative siting of the properties, it is not considered that the proposal would result in unacceptable overlooking, loss of privacy or harm to residential amenity for the occupants of these neighbouring dwellings.

Nos 81 and 83 Blacker Road

The proposed dwelling would have a side-to-side relationship with Nos 81 and 83 Blacker Road and would be served by one side facing non-habitable room window (bathroom) addressing these properties.

A separation distance of circa 26m would be maintained, which exceeds the minimum standards set out in the Housebuilders Design Guide SPD. Given the orientation, window type, and separation distance, it is not considered that

the proposal would result in undue overlooking or harm to the residential amenity of these neighbouring properties.

No 85 Blacker Road

The proposed dwelling would adjoin this neighbour, however, would not project past its front or rear elevation. It is noted that planning permission has previously been granted for the change of use from dwelling to officer at No.85, which appears to have been at least partially implemented, including alterations to fenestration. As such, it is considered that No.85 no longer relies upon the wider site for the provision of private residential amenity space. In this context, the proposed development would not result in an unacceptable loss of amenity space to a residential property, nor would it give rise to any adverse impact on the amenity of occupiers at No.85 Blacker Road.

Conclusion – Residential Amenity

On the basis of the above, the proposal would not result in material harm to the residential amenity of neighbouring properties in respect of daylight, sunlight, overbearing impact, or privacy, and therefore complies with the aims of policy LP24(b) and (c) of the Kirklees Local Plan.

4. Impact on Highway Safety and accessibility

Policy LP21 of the Kirklees Local Plan requires development to provide safe, convenient, and efficient access for all users, including pedestrians, cyclists, public transport users, and vehicles. Proposals must not result in an unacceptable impact on the highway network.

Policy LP22 sets out parking requirements stating that developments should provide appropriate provision for vehicles in accordance with the Council's adopted parking standards. This includes on-site parking for residents and visitors, as well as provision of servicing and deliveries where relevant.

Policy LP23 sets out development should safeguard, enhance, and create new pedestrian routes that promote sustainable travel and healthy, inclusive communities.

Policy LP24(d) sets out that development should achieve high levels of sustainability to a degree proportionate to the proposal through design that promotes behavioural change promoting walkable neighbourhoods and making walking and cycling more attractive.

These policies are underpinned by Chapter 9 of the NPPF which requires that development proposals ensure safe and suitable access for all users, mitigate any significant impacts on the transport network, and provide adequate opportunities for sustainable travel.

The Kirklees Highways Design Guide SPD provides further guidance on the detailed design of access points, private drives, internal layout dimensions,

visibility splays, turning space, and the number of parking spaces required based on dwelling size.

A one-bedroom dwelling would ordinarily be expected to provide two off-street parking spaces. However, the application site is significantly constrained, being located at the junction of Blacker Road and Tanfield Road, with a limited depth and availability of curtilage to the front. As a result, the provision of off-street parking within the site would necessitate vehicles entering and exiting in reverse gear onto a C-classified road, which would give rise to highway safety concerns.

In this context, it is noted that unrestricted on-street parking is available along Tanfield Road and, in part, along Blacker Road. Whilst a single yellow line is present to the frontage of the site, this restricts parking only between 8:00am and 6:00pm, Monday to Saturday, with parking available outside of these hours.

The site is located in a highly sustainable location, positioned on the edge of Birkby Local Centre and within close proximity to Huddersfield Town Centre, providing convenient access to local services, facilities and public transport. The proposed dwelling would accommodate a maximum of two occupants, and having regard to the low level of occupancy, the site constraints, and the highly accessible location, it is considered that, on balance, the absence of off-street parking would be acceptable.

To further encourage the use of sustainable modes of transport, it is recommended that a planning condition be imposed requiring the provision of secure cycle storage facilities prior to the first occupation of the dwelling.

The proposal includes provision for bin storage within the application site, set back from the public highway. Existing waste collection arrangements along Blacker Road require residents to place bins on the public footway on collection days, and it is accepted that the proposed dwelling would operate in accordance with this established arrangement. As such, the proposed refuse storage and collection arrangements are considered acceptable.

In light of the above, it is considered that, on balance, the absence of off-street parking for a one-bedroom, two-person dwelling in this location would not result in unacceptable harm. Given that the provision of parking within the site would give rise to highway safety concerns, and having regard to the site's sustainable location, the proposal is considered to accord with the aims of Policies LP21 and LP24 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

5. Biodiversity and Ecology

The Biodiversity Net Gain (BNG) Technical Advice Note provides local context on implementing BNG and reflects the statutory requirement introduced by the Environment Act 2021, which mandates a minimum 10% biodiversity net gain for most developments.

Chapter 15, Paragraphs 192, 193, 194 and 195 of the NPPF (December 2024) collectively seek to protect and enhance the natural environment by securing measurable biodiversity net gains, safeguarding irreplaceable habitats, and ensuring that harm to biodiversity is avoided, mitigated or, only where absolutely necessary, compensated.

Policy LP30 of the Kirklees Local Plan seeks to ensure that development proposals protect and enhance the natural environment. This includes safeguarding species and habitats of principal importance, avoiding significant harm to biodiversity, and securing measurable biodiversity net gains wherever possible.

The application site comprises an existing stone building and areas of former residential amenity space, including grassed areas and boundary hedging, within an established urban context. The site is not characterised by priority habitats and is considered to be of low ecological value.

The proposal involves the formation of a dwelling through a side extension to an existing building within its curtilage. The applicant has advised that the development falls within the definition of a self-build dwelling and therefore benefits from the statutory exemption from Biodiversity Net Gain (BNG) requirements. On this basis, the proposal is not required to demonstrate a measurable biodiversity net gain.

The site lies within a Bat Alert Zone. However, the proposed works do not involve the demolition of buildings, removal of roof structures, or loss of features with a high likelihood of supporting roosting bats. As such, the proposal is not considered to give rise to a significant risk of harm to protected species.

Notwithstanding this, it is recommended that the development incorporates proportionate biodiversity enhancements in line with Policy LP30. This includes the installation of a bat box on a suitable elevation of the completed building, which would provide additional roosting opportunities and deliver a modest biodiversity benefit.

Subject to the inclusion of this enhancement by condition, the proposal is considered to accord with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework and would not result in harm to biodiversity.

6. Pollution Control

Chapter 15 of the NPPF promotes safe and healthy living environments and requires that land contamination and other environmental constraints are considered and mitigated as part of the planning process.

Policy LP53 of the Kirklees Local Plan seeks to ensure that development does not cause, or result in exposure to, pollution or environmental risks that would be harmful to human health or the environment. These policies require developments to be appropriately assessed and, where necessary, remediated to ensure that sites are suitable for their intended use.

The site is not identified as being on or adjacent to potentially contaminated land, and it lies within a Development Low Risk Area as defined by the Mining Remediation Authority (The Coal Authority). However, given the proposal would include excavation in a previously unbuilt section of the site, it is considered reasonable and proportionate to impose a condition requiring that any unexpected contamination encountered during development is reported and appropriately dealt with. Further, the Coal Authority's Standing Advice will be added as an informative due to the "Coal Development Low Risk" designation.

It is therefore considered that subject to the "unexpected contamination" condition, the proposal is considered to comply with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

7.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 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.

Policy LP24(d) of the Kirklees Local Plan requires developments to promote sustainable design and construction by minimizing resource use and carbon emissions, and by incorporating measures that reduce the environmental impact of buildings, including energy and water efficiency.

Policy LP26 further supports this by encouraging development that contributes to climate change and adaptation through layout, design, orientation, and use of low-carbon technologies.

The applicant has submitted a Climate Change Statement outlining a range of design measures to reduce energy demand and support sustainable construction. The scheme adopts a fabric first approach with high performance insulation, and maximises passive solar orientation. The statement outlines that transport emissions would be minimized by selecting

local supplies and manufactures and that solar thermal systems for domestic hot water and space heating.

Given the nature and scale of the development, these measures are considered proportionate and in accordance with Policies LP24 and LP26 of the Kirklees Local Plan and the wider aims of the Council.

8. Other Matters

None.

9. Pre-Commencement Conditions

No pre-commencement conditions are required.

10. Representations

There were no letters of representation received.

11. 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 the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation: Delegated Powers

Application Number: 2025/91846

Officer Recommendation: APPROVE

Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission. **Reason:** To ensure compliance with 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 so as to

ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP7, LP20, LP21, LP22, LP24, LP26, LP28, LP30, LP35, LP51, LP52 and LP53, of the Kirklees Local Plan, Chapters 2, 4, 5, 8, 9, 11, 12, 14, 15 and 16 of the National Planning Policy Framework, and Principles 2, 5, 6, 9, 12, 13, 14, 15, 16, 17, 18 and 19 of the Housebuilders Design Guide SPD.

2. The external facing and roofing materials shall be as specified in the submitted application and drawings, unless otherwise agreed in writing by the Local Planning Authority. **Reason:** In the interest of visual amenity and in accordance with Policy LP24 of the Kirklees Local Plan, the Kirklees Housebuilders Design Guide Supplementary Planning Document, and the aims of chapter 12 of the National Planning Policy Framework 2024.

3. Prior to first occupation, details of secure and covered cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed prior to occupation and retained thereafter. **Reason:** To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with the Policy LP21 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework

4. Prior to first occupation of the dwelling hereby approved, details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall clearly identify the boundaries of the curtilage of the approved dwelling and the retained curtilage of No.85 Blacker Road. The approved boundary treatment shall be implemented prior to occupation and retained thereafter. **Reason:** To secure appropriate boundary treatments and a clear definition of the curtilage of the new dwelling, in the interests of visual and neighbouring amenity, in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

5. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the Local Planning authority shall be notified in writing within 2 working days. Works on site shall not recommence until either:
 - a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or,

- a) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority. **Reason:** To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework.

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

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan			01/08/2025
Existing Floor Plans & Elevations	PAD.220.438		01/08/2025
Proposed Block Plan	PAD.220.618		08/12/2025
Proposed Floor Plans and Elevations	PAD.220.439		17/12/2025
Noise Mitigation Scheme			01/08/2025
Design & Access Statement			01/08/2025
Biodiversity Net Gain (BNG) Statement			01/08/2025
Climate Change			01/08/2025

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. Amended drawings were received during the course of the application to change the scheme from 3 flats to a single dwelling house and the assessment was based on the revised plans.

Report Dated: 19th December 2025