

**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:	<b>2025/62/92526/E</b>
Site Address:	adj, 101a, Halifax Road, Staincliffe, Batley, WF13 4BD
Description:	Erection of extensions and alterations to detached garage to form dwelling
Recommending Officer:	Edward Cheseldine

**DECISION – CONDITIONAL FULL PERMISSION**

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

Emma Thompson

***AUTHORISED OFFICER***

**Date:** 4-Mar-26

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## **Officer Report**

2025/92526 - adj, 101a, Halifax Road, Staincliffe, Batley, WF13 4BD

### **Site Description**

The application site is a plot of land set within the curtilage of 101a Halifax Road, it currently includes a single-storey building formed of stone walls and a pitched roof. An annex building is located on the eastern aspect of the site. The site is separated from 101a Halifax Road by a retaining wall due to the change in land levels. Access is independent from the main dwelling, formed along an unadopted road (Highfield Lane) from Halifax Road. There are currently six residential properties that use this road for access.

The site is within a high-risk coal area. It is located near potentially contaminated land reference 2732.

### **Proposal Description**

The applicant is seeking permission for extensions and alterations to a detached garage to form a new dwelling.

The change of use would facilitate the use of the garage to a one-bedroom residential dwelling with amenity space and living facilities.

An extension will be formed to create an 'L' shape footprint. The dwelling will have a width of 16.60m and a length of 10.15m, eaves height of 2.45m and a ridgeline height of 5.00m. Materials will match the existing building with brick walls and concrete roof tiles.

### **Amendments/Negotiations**

Concerns regarding the provision of access to a new standalone dwelling were raised due to the substandard access arrangements serving more than 5 dwellings. Discussions were had regarding retaining the proposal as ancillary which would require the access closing or seeking agreement to access improvements. The application has been progressed as a new dwelling.

Officers requested confirmation of conditions, including to upgrade the access, which have been accepted by the applicant.

## **Public Representation**

The application was advertised by way of a site notice, which expired on 14 January 2026. No representations were received.

## **Relevant Planning History**

2004/92965 – Erection of detached double garage – Permission granted

2008/92926 – Erection of detached dwelling – Refused

2009/92529 – Erection of detached dwelling and detached garage - Refused (appeal dismissed)

2011/92143 – Change of use and alterations from garage to granny flat – Permission granted

2015/92518 – Erection of garage/store – Permission granted

## **Consultation Responses**

The Mining Remediation Authority – Comments received 11 February 2026. Material concern, recommended conditions.

KC Highways – Verbal comments were received over the course of the application. Commented that market housing would require part-adoption of the road due to the number of dwellings Highfield Lane currently serves. Recommended a condition for the submission of details for highway improvements.

KC Environmental Health – Verbal comments received 26 February. Recommended land contamination conditions due to the proximity to potentially contaminated land and Coal Mining Risk Assessment stating there may be two coal seams below the ground.

KC Waste Strategy – Informal comments received 26 February. Confirmed bin collection vehicles access Highfield Lane.

## **Policy & Legislation**

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 27<sup>th</sup> February 2019).

The site is UNALLOCATED in the Kirklees Local Plan.

On 12<sup>th</sup> 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.

#### Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 3** – Location of New Development
- **LP 7** – Efficient and effective use of land and buildings
- **LP 11** – Housing Mix and Affordable Housing
- **LP 21** – Highway safety
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity
- **LP 53** – Contaminated and unstable land

#### National Policies and Guidance:

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, and the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> 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 – Sustainable development
- Chapter 4 – Decision-making
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

#### Other Material Considerations

- Kirklees Highways Design Guide SPD (2019).
- Waste Management Design Guide for New Developments (Version 5, October 2020).
- Kirklees Housebuilders Design Guide SPD (2021).
- Gov UK Biodiversity Net Gain Technical Guidance.
- Gov UK Nationally Described Space Standards

#### **Assessment**

- 1) Principle of Development
- 1) Impact on Visual Amenity
- 2) Impact of Residential Amenity
- 3) Impact on Highway Safety
- 4) Environmental Matters
- 5) Conclusion

#### 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 assessed.

The site is unallocated on the KLP Policies Map. Policy LP2 states that:

*“All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...”*

The 2025 update of the five-year housing land supply position for Kirklees shows 4.18 years supply of housing land, and the 2023 Housing Delivery Test (HDT) measurement which was published on 12/12/2024 demonstrated that housing delivery for Kirklees for the past three years (April 2020-March 2023) has fallen below the 75% pass threshold.

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. The judgement in this case is set out in the officers’ assessment.

In this case, one additional unit would make a small contribution to that supply. Good design is a key aspect of sustainable development which contributes to creating better places. Therefore, a balance will be formed, within this assessment, against the benefits one dwellings would bring.

Policy LP7 of the Kirklees Local Plan establishes a desired target density of thirty-five dwellings per hectare. By that standard, this site in theory, could accommodate two dwellings. The application is for an additional dwelling which is considered to be an acceptable number as the site is formed from an unadopted road.

In respect of the above, the quantum of development is considered acceptable although a more detailed assessment of the proposal's design and its impact on the surrounding environment, assessed against Policy LP24 of the Kirklees Local Plan amongst other Policies, is undertaken below.

### Impact on Visual Amenity

The NPPF offers guidance relating to design in Chapter 12 (achieving well-designed places) whereby paragraph 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. Relevant to this is the Kirklees Housebuilders Design Guide SPD 2021, which aims to ensure future housing development is of high-quality design.

Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: *“New residential development proposals will be expected to respect and enhance the local character of the area by:*

- *Taking cues from the character of the built and natural environment within the locality.*
- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*

- *Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.”*

Principle 5 relates to the layout of the development in respect of the visual connection of surrounding areas. The design of windows and doors relate well to the street frontage and neighbouring properties is required by principle 14 of the Housebuilders Design Guide. Principle 15 sets out that the design of the roofline should relate well to the site context, including topography, views, heights of buildings and the roof types.

The proposal is for the extension and alteration of an existing building forming a new wing of the building. The building proposed is located in a separate area from the main dwellinghouse due to a retaining wall, accessed by a separate entrance. The roof of the building is present from aspects along Highfield Lane.

The proposal will extend the footprint of the building, continuing its design and materials. The roof section will be visible from aspects to the south of the site. It will appear in a relatively built-up area, which is not considered to disrupt the character of the lane and will appear as a natural addition to the building.

Matching materials and eaves height are appropriate for the extension. In terms of scale, when considering the building is located in an independent area, it will not compete with the surrounding build form.

This section of Highfield Lane does not benefit from a natural street scene and is predominantly an access for residential dwelling. There is an existing boundary wall and a gateway. Whilst the new dwelling will not contribute directly to a streetscene, this is partly due to its position and single-storey construction. The impact is therefore acceptable.

The design of the extension is considered to comply with LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the Kirklees Local Plan and paragraphs within Chapter 12 of the NPPF.

#### Impact on Residential Amenity

Section B and C of LP24 states that new development should:

*“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”*

Further to this, Paragraph 135 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.

Principle 6 of the Kirklees Housebuilders Design Guide SPD states that: *“Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.”* The SPD also provides advised separation distances for two storey dwellings:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

Due to its location, the development will only impact 101a Halifax Road.

#### *Impact on 101a Halifax Road*

101a Halifax Road is a one and two storey dwelling, its rear elevation is single-storey with skylights. The proposed dwellings is set on elevated land.

In terms of privacy, the application dwelling includes windows lighting a living space 21 metre from 101a Halifax Road. There is a significant land level change and 101a Halifax Road is angled away, the outlook from these windows, is therefore not considered to result in a direct overlooking impact when considering the distance and other mitigating circumstances. The outdoor amenity space of the dwelling proposed would have the potential to overlook the neighbouring outdoor amenity space. As the site is set to become market housing it is recommended that a condition is set to provide a boundary treatment along the retaining wall in order to provide privacy within the rear area of 101a Halifax Road.

Due to distance, there will not be a loss of light or outlook.

Due to the single-storey scale of the building and retaining walls to the south of the sight, there are no other properties to consider.

### *Amenity of the Proposed Occupier*

Policy LP24 b) of the KLP which requires proposals to provide a high standard of amenity for future occupiers.

Principle 16 of the Housebuilders Design Guide SPD states that: *“All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan.”*

In this case, the building meets the floorspace requirements for a one bedroom one storey dwelling set out in Nationally Described Space Standards. It is noted that areas indicated a gym / sauna room could in theory become bedrooms. The dwelling will have a total floor space of 137m<sup>2</sup> which meets the requirements of NDSS for a 3 bedroom property over 1 floor.

A high standard of amenity for occupiers should not just be deduced to a calculation of floorspace but also the quality of the space provided. Rooms within the building include a bedroom, amenity rooms, bathroom and a kitchen area. The type of amenity space is suitable for future occupiers, level of light for each room is suitable and the floor space is suitable when accounting for storage and doorways to provide amenity for occupiers.

The dwelling as extended, access and parking occupies a substantial part of the site leaving an acceptable level of private amenity space for future occupants.

Subject to a condition for boundary treatments, it is considered there will be an acceptable impact to the amenity of future and neighbouring occupiers, therefore complying with LP24 of the Kirklees Local Plan.

### Impact on Highway Safety

Policy LP21 states all proposals should ensure the safe and efficient flow of traffic within the development and on the surrounding highway Network.

Policy LP22 and the Kirklees Highways Design Guide Supplementary Planning Document are relevant insofar as they relate to parking provisions

Comments have been received by KC Highways DM. They commented on the unadopted status of the access lane and the number of dwellings it serves currently being six which puts the access road on the threshold of policy for adoption set within the Kirklees Highways Design Guide SPD.

Paragraph 3.15 the Kirklees Highways Design Guide SPD states, *new development serving more than five dwellings (or any existing private road which will serve more than five dwellings after completion of new development) should be laid out to an adoptable standard and be able to be offered for adoption.*

The site is currently accessed via Highfield Lane which is an unadopted tarmacked private residential cul-de-sac of approximately 4 metre width with no footways or street lighting present. It provides access to six dwellings.

As a result, the section of Highfield Lane from Halifax Road to the entrance to the site should be made up to an adoptable standard and offered to the Council for adoption if a new dwelling is to be constructed.

Kirklees Highways DM have recommended a condition to ensure an acceptable access can be provided. In this case the applicant has confirmed a condition to apply for adoptable standards through a S38 agreements and details of construction specifications, white lining, surface finishes to upgrade a section of Highfield Road to adoptable standards. This would lead to an acceptable standard of access for the independent dwelling should the condition be discharged and improvement works are constructed.

Additionally, the applicant has not supplied bin storage and collection areas. It is noted bin collection vehicles do enter Highfield Lane. The road at this particular point is narrow and bins stored on the lane could obstruct vehicles. Bin storage and collection areas should therefore be submitted through a condition which is recommended.

Sufficient parking spaces are provided within the remaining curtilage of the building and the access is existing, should the condition be applied, the proposal will comply with LP21 & LP22 of the Kirklees Local Plan.

## Environmental Matters

### *Biodiversity / Ecology*

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The development is considered to benefit from the di minimis exemption as set out by The Biodiversity Net Gain Requirements (Exemptions) Regulations 2024.

Paragraphs 187, 193, 194 and 195 of 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.

The site is not located in an area of protected or notable species on the Council's GIS mapping system. In terms of an uplift, the height of the eaves of the building are not suitable in providing a bat or bird box.

### *Coal Legacy*

Policy LP53 of the Kirklees Local Plan and paragraphs 196 and 198 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The site is located in a high-risk coal alert layer. The applicant has submitted a Coal Mining Risk Assessment reference G25345 which was reviewed by The Mining Remediation Authority.

They raised material concern with the development requesting further ground intrusive investigation due to the anticipation of two coal seams below the ground. They recommended conditions for testing which should be applied to the decision notice.

### *Land Contamination*

Policy LP53 of the Kirklees Local Plan and paragraphs 196 and 198 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The site is located close to the site of a former woollen mill, sandstone quarry, and yarn spinners/dyers (2732). Additionally, there is evidence of two coal seams below the ground. Due to the potential contaminants within the soil, it is recommended land contamination conditions are applied.

### *Carbon Budget*

The proposal is a small scale development. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

## **Conclusion**

The application for a new dwelling has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given its acceptability in terms of the principle of development and impact to visual amenity, residential amenity, highway safety and environmental matters, the proposal is acceptable.

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.

As set out above, 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, subject to conditions.

## **Recommendation**

**Approve**

## **Conditions and Reasons**

1. The development hereby permitted shall be begun within three years of the date of this permission.  
**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.
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 ensure the satisfactory appearance of the development on completion, and to accord with Policy LP1, LP2, LP3, LP7, LP11, LP21, LP22, LP24, LP30, LP53 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.
3. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent

person has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 198 of the National Planning Policy Framework.

4. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (3) groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 198 of the National Planning Policy Framework.

5. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (4) further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 198 of the National Planning Policy Framework.

6. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (5). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 198 of the National Planning Policy Framework.

7. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have

been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 198 of the National Planning Policy Framework.

8. No above ground development shall commence until;
  - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
  - b) any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 198 of the National Planning Policy Framework.

9. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 198 of the National Planning Policy Framework.

10. Development shall not commence to extend the dwelling unit hereby approved until a detailed scheme showing the area of road to be adopted by the Highway Authority has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction specifications, white lining, surface finishes. The approved scheme shall be completed before the occupation of the dwelling unit on site and retained thereafter.

**Reason:** This is a pre-commencement condition in the interests of highway safety and to achieve a satisfactory layout in accordance with Policies LP21 and LP22 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

11. Notwithstanding the details shown on the submitted drawings, new boundary treatment details shall be submitted and approved in writing by the Local Planning Authority, prior to first occupation of the dwellinghouse. The works shall then be carried out in complete accordance with the approved details and shall be retained thereafter.

**Reason:** In order to provide a satisfactory level of privacy for occupants of 101a Halifax Road, and in accordance with Chapter 12 of the National Planning Policy Framework, LP24b of the Kirklees Local Plan and with Principle 6 of the Kirklees Housebuilders Design Guide SPD.

12. Before work commences on the superstructure of the extensions hereby approved, and notwithstanding the details on the approved plans, further details of arrangements for the storage and collection of domestic wastes shall be submitted to and approved in writing by the Local Planning Authority. The details approved shall be provided prior to the first occupation of the dwellings hereby permitted, and the areas approved for the storage and collection of wastes shall be retained as such, free from obstructions to their use.

**Reason:** In order to maintain a clear and obstruction free access on Highfield Lane and in accordance with Policies LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

13. The development shall not be occupied until the W/C windows in the new dwelling hereby approved has been obscurely glazed (to a minimum Grade 4). 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) the obscure glazing (to a Grade 4) shall thereafter be retained.

**Reason:** To protect the privacy of future and neighbouring occupiers and to accord with Policy LP24b of the Kirklees Local Plan the Key Design Principles of the Kirklees Housebuilders Design Guide SPD and the aims of the National Planning Policy Framework.

14. The external walls and roofing materials of the extensions and alterations hereby approved shall in all respects match those used in the construction of the existing building.

**Reason:** In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the Kirklees Housebuilders Design Guide SPD and the aims of chapter 12 of 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.

**NOTE:** Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as

amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully. Reason: In order that the proposals are implemented in accordance with the Wildlife and Countryside Act 1981 (as amended).

**NOTE:** No construction related noise should be audible beyond the site boundary outside the hours of: 07.30 to 18.30 hours Mondays to Fridays, 08.00 to 13.00 hours Saturdays. With no construction related noise audible beyond the site boundary on Sundays or Public Holidays. Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

**NOTE:** Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

**Plans and specifications schedule:-**

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location plan	A1-CAD/01F	-	28 November 2025
Existing grouped plans	A1-CAD/02	-	28 November 2025
Proposed grouped plans	A1-CAD/03A	-	28 November 2025
Coal mining risk assessment	G25345	-	28 November

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
			2025
Design and access statement	-	-	28 November 2025
Climate change statement	-	-	28 November 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 2024 and otherwise actively engaged with the applicant in dealing with the application. The applicant has provided additional information and agreement to the conditions.