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:	**2025/62/93161/W**
Site Address:	adj, 3, Croft Drive, Honley, Holmfirth, HD9 6HQ
Description:	Removal of the existing garage and erection of detached dwelling including associated works
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: 10th February 2026

OFFICER REPORT: 2025/93161

Site Description

The site comprises a double, flat-roofed detached garage located in Honley, Holmfirth. It lies within an established residential area characterised by similar forms of development. The site is situated within a row of semi-detached, pitched-roof bungalows, with larger two-storey semi-detached dwellings located to the east and south.

The site is unallocated on the Kirklees Local Plan map.

Description of Proposal

Planning permission is sought for the removal of the existing garage and erection of detached dwelling including associated works.

The proposed dwelling would be 1.5 storeys in height, with first-floor accommodation accommodated within the roof space. It would measure 7.5m x 11m, and would be designed with a pitched roof rising to 2.5m at eaves level and 6.5m at ridge height. A large flat-roofed dormer is proposed to the rear, measuring approximately 7m in width and 2.5m in height.

The site plan indicates that off-street parking would be provided to the front of the dwelling, for both the proposed dwelling and no.3 with private amenity space located to the rear.

The dwelling would have an internal floor area of approximately 98m². The proposed materials, as set out in the application form, comprise brick walls with a stone front elevation, concrete roof tiles, and white uPVC windows and doors.

Internally, the dwelling serves a hall, wc, lounge and open plan kitchen, dining and living space at ground floor and a bathroom, study and two bedrooms at first floor.

History of Negotiations

Further information was requested in relation to the impact of the proposed dwelling on neighbouring properties, as well as the proposed parking and bin storage arrangements. Amended plans were submitted on 3 February 2026, which addressed the officer's concerns. The application was therefore progressed to determination on the basis of the revised plans.

Relevant Planning History

95/91006 – Erection of single storey extension – Refused

95/92401 – Erection of single storey extension – Conditional full permission

Representations

The application was advertised by site notice, which expired 11th December 2026.

5 representations have been received, 1.no in support, 2.no general comment and 2.no in objection summarised below:

Supporting comments

- The plans are appropriate in scale and appearance and would sit comfortably within the existing garage site.
- The proposal would improve the visual quality of the area, provide off-street parking for both the existing and proposed dwellings, and benefit from the inclusion of soft landscaping to enhance the appearance of both properties.

Officer response: The above comments are noted.

General comments

- The metal container on the land has not been shown on the plans under this application

- Having a large blue shipping container which is visible from all ends of the estate is not in keeping and based on the current deeds of the estate you need planning permission even for a temporary building like this

Officer response: This is noted. A container can be in place during construction works, through utilising permitted development rights, this is a separate matter outside the remit of this application.

- Changes to the front garden boundary to car park what has been looked at based on current deeds as no one on the current estate has made their front garden a carpark as all have drives. Why can't the current drive be used as a joint carpark - it's big enough and not part of the land needed for the new property.
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Officer response: This is noted. Matters relating to land ownership, access rights, and the use of private driveways are civil issues between the relevant landowners and fall outside the scope of planning control. The comments regarding alterations to the front garden boundary and the use of existing driveways are noted and taken into account in the consideration of this application detailed in the 'Assessment' section of this report.

Objections

- Based on the original extension of 3 Croft Drive and investigations by Kirklees council in 2022 Drainage for said property goes to 1 Croft Drive which causes flooding and damp in 1 Croft Drive.
- Any new build will require additional drainage direct to the road and as yet not seen in plans
- Concerns about the drainage as pipes travel underneath 3 Croft Drive. Any damage to existing pipework, whilst the new property is being constructed, will impact on the drainage from my property. If the drainage system from my property is not considered sufficiently there could be major problems for me in the future. The developer needs to be aware of this potential situation

  Officer response: The above comments are noted. Yorkshire Water records indicate that there are no public drainage assets within the site. Notwithstanding this point impact upon drainage assets within this site, and potential impact to those shared with neighbouing occupiers would be a civil matter between the relevant land owners.

- Parking for 3 Croft Drive is to be moved to the front garden which is not in keeping to the estate based on land registry requirement.
  Officer response: This is noted, however land registry records are a separate legal matter and cannot be considered under the remits of this application. The visual impact of the development is taken into account in the 'Assessment' section of this report.

- The proposed new property has a window on the gable end which will be directly opposite my existing window. As this is a bedroom that is used I do not feel that it is appropriate to site a window in the proposed new property opposite an existing window. This will certainly be an invasion of my privacy.

  Officer response: This is noted. During the course of this application further plans have been submitted to demonstrate the relationship between the new dwelling and neighbouring windows. The impact of the dwelling upon neighbouring dwellings is fully assessed within the 'Assessment' section of this report.

Consultation Responses

KC Highways: Informal consultation. No objection following the submission of further information relating to parking and bin storage.

KC Ecology: The development appears to be within the original footprint of the building / hardstanding and is therefore exempt from BNG requirements.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees Local Plan Proposals Map. The site falls within the Holme Valley Neighbourhood Development Plan Area.

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.

The following policies are considered relevant to the determination of this application:

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 7** – Efficient and effective use of land and buildings
- **LP 11** – Housing mix and affordable housing
- **LP 21** – Highways and Access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 28** – Drainage
- **LP 30** – Biodiversity and Geodiversity
- **LP 51** – Protection and Improvement of Local Air Quality

Holme Valley Neighbourhood Development Plan

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan. The site is within Landscape Character Area no.6 (Honley Village Centre). Policies within the plan relevant to the consideration of this application are listed as follows:-

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley.
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.
- Policy 6 – Building homes for the future
- Policy 11 – Improving Transport, Accessibility and Local Infrastructure.

- Policy 12 – Promoting Sustainability.
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain.

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, and the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical 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.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** Achieving Sustainable Development
- **Chapter 5** Delivering a Sufficient Supply of Homes
- **Chapter 8** Promoting Healthy and Safe Communities
- **Chapter 9** Promoting Sustainable Transport
- **Chapter11** Making Effective Use of Land Chapter
- **Chapter 12** Achieving Well Designed Places
- **Chapter14** Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter15** Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

Housebuilders Design Guide SPD (2021)

Kirklees Council has adopted supplementary planning guidance on new housing development which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF). As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to new housing development.

Highway Design Guide SPD (2019)

Kirklees Council has adopted supplementary planning guidance on highway design which carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding highway design and layout, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework

(NPPF). As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to highway design

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.
The Conservation of Habitats and Species Regulations 2017

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

1 – Principle

NPPF Paragraph 11 and Policy LP1 of the Kirklees Local Plan outline a presumption in favour of sustainable development. It adds, within the same paragraph, that where the policies in the Development Plan, deemed most relevant to the consideration of the proposal in question are out-of-date, the default position is that planning permission should be granted unless:-
a) policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed; or
b) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

In the case of applications for residential development such as this, the NPPF adds that policies will normally be considered 'out of date' if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing land.

The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. National planning policy requires local planning authorities to demonstrate five years supply of deliverable housing sites against their housing requirement.

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. Net development density is expected to achieve at least 35 dwellings per hectare, though higher densities are supported in areas in or adjacent to town centres which are well served by public transport and to secure more sustainable forms of development. Densities lower than 35 are only permitted in line with Local Plan Policy LP7. The location of the site is important in terms of the requirement for car parking provision, on-site open space provision and the type of housing required in the locality.

Policy 6 of the Holme Valley Neighbourhood Development Plan sets out the requirement of sets out that developments will be expected to demonstrate that densities make best and efficient use of land. Within paragraph 4.5.16 of this plan it is stated that within the Holme Valley a density level of 30 dwellings per hectare should be sought whilst recognising the higher density level sought by policy LP7 of the Kirklees Local Plan

Given the site characteristics it is considered a density greater than one dwelling would introduce issues such as satisfactory parking arrangements and the density of development is therefore concluded acceptable.
In conclusion it is clear the site is contained within a residential setting, in a sustainable location. As such, the principle of erecting a new dwelling in this location is considered to be acceptable, meeting the requirements of Policies LP1 of the Local Plan and Chapters 2, 5 and 9 of the NPPF in this regard.

<u>2 –Impact upon visual amenity:</u>

Policy 1 of the Holme Valley Neighbourhood Development Plan sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), in this case Honley Village Centre (LCA 6)

Policy 2 of the Holme Valley Neighbourhood Development Plan states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment,

respect the scale, mass, height and form of existing buildings in the locality and their setting.

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.

Principle 5 of the Kirklees House Builders Design guide states 'Buildings should be aligned and set-back to form a coherent building line and designed to front on to the street, including corner plots, to help create active frontages. The layout of the development should enable important views to be maintained to provide a sense of places and visual connections to surrounding areas, and seek to enable interesting townscape and landscape features to be viewed at the end of streets, working with site topography. The arrangement of buildings should consider maintaining privacy and residential amenity. Effective boundary treatments should be used to form defensible space and delineate between public and private realm. Buildings should be arranged to take account of weather and microclimate'. It is considered that the positioning of the dwellings would enable them to accord with principle 5.

Principle 2 of the Kirklees House Builders Design Guide 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.'

The proposed dwelling would be 1.5 storeys in height and would present a single-storey appearance from the front elevation, with a rear dormer accommodating first-floor accommodation. The dwelling would be finished in materials that are cohesive with those found within the surrounding area consisting of brick, stone, with a concrete tile roof.

In terms of siting and layout, the proposed dwelling would replace an existing garage and would, in part, be located on the footprint of the current structure. The building would have a simple footprint with a modest rear projection. It is acknowledged that the site is constrained in size; however, the scale and form of the proposed dwelling reflect those of neighbouring properties to the west and would not appear entirely incongruous within this location. The proposal would largely align with the established building lines within the street scene. While No. 3 to the east is set at an oblique angle, resulting in its rear elevation facing towards the proposed dwelling, a minimum separation distance of approximately 1 metre would be retained. This would maintain a degree of

openness between the dwellings, which is characteristic of this part of the street. As such, the siting of the dwelling, including its set-back from the public realm, is not considered to be out of keeping with the character of the area. It is therefore considered that the proposal accords with Principles 2 and 5 of the House Builders Design Guide SPD.

Principle 15 of the House Builders Design Guide SPD refers to roof lines and states that the design of the roofline should relate well to the site context, including topography, views, heights of buildings and the roof types. Consideration should be given to the pitch of roofs, the inclusion of dormer windows, provision of green/blue roofs, the role of roofs in providing outdoor space and ensuring that the design of roofs does not allow for easy climbing access to upper floor windows.

In this instance, the proposed roof would be a standard pitched design, considered sympathetic to the surrounding area and consistent with the character of adjacent properties. The ridge height of the dwelling is proposed at approximately 6.5m, aligning with No. 3 to the east, and is therefore considered acceptable in this context. Officers conclude that the proposal accords with Principle 15 of the above SPD.

Principle 14 of the Housebuilders design guide states that the design of windows and doors is expected to relate well to the street frontage and neighbouring properties and reflect local character in style and materials.

The proposed windows and doors are simple and traditional in design, modest in scale, and evenly distributed across the dwelling. Small rooflights are proposed on the front roofslope, which would not appear prominent within the wider streetscene. Officers consider that, as submitted, the proposal would accord with Principle 14 of the above SPD.

A dormer is proposed on the rear roof slope. While relatively large in scale, it would be positioned at the rear of the property, where visibility from public viewpoints is limited. Rear and side dormers are common in the surrounding area, and although this dormer would be larger than typical examples, it is not considered to be of a scale that would appear incongruous or overly obtrusive within the roof slope. The addition provides functional benefits, including increased headroom and usable internal space, while respecting the overall character of the property. Given its discreet location, appropriate scale, and alignment with local architectural patterns, the dormer would be in keeping with the context of the area.

To ensure the dwelling has an acceptable appearance it is recommended that conditions requiring submission of materials of construction for written approval, that the slab / floor levels are those as shown in drawing 25112 - 0303 - R02 and that boundary treatments are submitted to the LPA for written approval. In addition a condition requiring soft landscaping to be provided as shown on the submitted plan and retained as such is also recommended. Subject to inclusion of these conditions to ensure satisfactory materials,

boundaries and finished floor levels the proposal is considered to be acceptable.

In conclusion, the proposed dwelling is considered to be of an acceptable size, scale and design in this location, and that it would not appear out of character or overly dominant within the general context of the site. On this basis, the proposals are deemed to accord with the requirements of Policies LP1, LP2, LP11 and LP24 of the Kirklees Local Plan, Principles 2, 5, 6, 13, 14 and 15 of the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

3 – Impact on residential amenity of neighbouring residents

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Builder's Design Guide SPD goes into further detail with respect to Key Design Principle 6 on maintaining high standards of residential amenity.

Policy 2 of the Holme Valley Neighbourhood Development Plan sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

3 Croft Drive

No. 3 Croft Drive adjoins the application site to the east. The proposed dwelling would be positioned with an approximate separation distance of 1.5 metres between the side elevations of the two properties.

In terms of privacy, the proposal would introduce additional window openings to the front and rear elevations only, with no new openings proposed within the side elevations. Given the oblique orientation of the proposed dwelling relative to No. 3, there is potential for a limited degree of overlooking towards the rear amenity space of No. 3. However, this relationship is not considered to result in a harmful level of overlooking. The surrounding area is characterised by close relationships and mutual overlooking between neighbouring properties forming part of the established street pattern. As such, the proposed relationship would be consistent with the prevailing character of the area. Officers are therefore satisfied that the proposal would not give rise to a significant loss of privacy to the occupiers of No. 3.

With regard to overbearing/loss of light impacts, officers initially raised concerns during the course of the application due to the proximity of the proposed dwelling to a side-facing window serving No. 3. The proposed building would be located approximately 1.5 metres from this window, which

would have resulted in a materially reduced outlook and an overbearing impact upon the occupiers of the dwelling. Although No. 3 is within the applicant's ownership, officers considered that the original scheme would have resulted in an unacceptably oppressive relationship, to the detriment of both existing and future occupiers.

In response to these concerns, amended plans have been submitted which show the side-facing window to No. 3 would be permanently blocked up. To ensure the affected room continues to receive adequate natural light, rooflights are proposed within the rear roof slope. Given the removal of this side window, officers are satisfied that the proposed dwelling would no longer result in a harmful overbearing or oppressive impact upon No. 3. It is therefore considered reasonable and appropriate to secure this arrangement by way of a condition requiring the development to be carried out in accordance with the approved plans.

Taking the above factors into account, officers conclude that the proposal would have an acceptable impact on the residential amenity of occupiers of 3 Croft Drive.

5 Croft Drive

No. 5 Croft Drive is a semi-detached bungalow located to the west of the application site. The proposed dwelling would be situated approximately 4 metres from No. 5 when measured between the side elevation of the proposed dwelling and the side elevation of the garage at No. 5. A further separation distance of approximately 7.4 metres would exist between the side elevation of the proposed dwelling and the main side elevation of No. 5.

In terms of privacy, no windows are proposed within the side elevation facing No. 5. While windows are proposed within the rear elevation of the new dwelling, these would be orientated over the rear amenity space associated with the proposed development. As such, they would not result in undue overlooking or a loss of privacy to the rear garden or habitable rooms of No. 5.

Officers initially raised concerns regarding the potential impact of the proposed dwelling on a first-floor, east-facing window located within the gable end of No. 5, likely serving a bedroom. In response, amended plans were submitted to more clearly demonstrate the relationship between this window and the proposed development. These revised drawings show that the window in question is directed towards the front roof slope of the proposed dwelling, rather than facing a blank wall. As a result, the development would not materially harm the existing outlook from this window, nor would it result in a significant loss of daylight or sunlight.

Having regard to the amended plans and the separation distances involved, officers are satisfied that the proposal would not result in an unacceptable overbearing impact, loss of light, or loss of privacy to the occupiers of No. 5 Croft Drive.

It is considered the new dwelling would be at an acceptable distance from neighbours to the front (20m) and rear (45m+) to mitigate any adverse overlooking, overbearing or loss of light impacts.

Notwithstanding this, Permitted Development Rights (PDR's) will be withdrawn for extensions and outbuildings. PDR's will also be withdrawn for the insertion of openings within the side elevations in order to protect residential amenity and to avoid overdevelopment of the site.

Taking the above factors into account, and subject to the inclusion of the conditions set out above, the proposals are considered acceptable from a residential amenity perspective and would accord with the aforementioned policies. This conclusion is on the basis of the scheme as submitted and a condition requiring the levels to be those as set out in the submitted plans is recommended.

It is considered that once occupied the dwelling is unlikely to generate significant levels of noise. However, the site is surrounded by residential properties and the occupiers of these could potentially be disturbed by noise generated during the construction process To avoid this, it is recommended that in this instance a footnote is imposed advising such works take place between the hours of 7.30am and 6.30pm Monday to Friday, 8am and 1pm on Saturdays with no working permitted on Sundays or Public Holidays. In view of the above, it is considered that the development will be acceptable in neighbour amenity terms reasonably meeting the requirements of the aforementioned policies.

4- Impact on residential amenity of future occupiers

Consideration must also be given to the amenity of future residents of the proposed dwelling. Taking into account principle 16 of the Kirklees House Builder's Design Guide which sets out that:

'*All new homes should aim to be accessible and adaptable homes to meet the changing needs of occupants over time in accordance with Building Regulations'* and that *'All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity and living environments for future occupiers in accordance with Policy LP24'.*

National space standards require the following gross internal floor area for a three-storey dwelling:

2 Bedroom, 3-person dwelling set over 2 storeys- 70 square metres
2 Bedroom, 4-person dwelling set over 2 storeys- 79 square metres

The proposed dwelling is two bedrooms over two floors and is therefore required to have an internal floor space of $70m^2$.

The proposal is shown to have an internal floor space of 98m^2 at ground floor and first floor, it is considered that an acceptable standard of living would be demonstrated if the proposal received planning permission.

Principle 17 of the House Builders SPD states that all new houses should have adequate access to private outdoor space. It is considered that sufficient amenity space would be retained should the proposal receive permission and would not represent an overdevelopment of the site.

Overall, it has been considered that the proposal would have an acceptable impact on residential amenity and would be complaint with the aforementioned policies.

5 – Impact on highway safety:

With regards to Highways Safety, Policies LP21 and 22 of the Local Plan have been considered along with the KC Highway Design guide. The policies seek to ensure that new developments have an acceptable impact on highway safety and provide sufficient parking and access to sustainable transport options.

Policy 11 of the Holme Valley Neighbourhood Development Plan seeks the improvement of transport, accessibility and local infrastructure. At Part 8 of policy 11 it is set out that Where planning permission is required proposals to convert existing garaging into non-parking provision will be discouraged unless suitable alternative off-road parking is available

The proposal has been informally reviewed with KC Highways.

Upon review of the submitted scheme, officers sought clarification regarding the number of bedrooms within the existing dwelling at No. 3 Croft Drive, in order to ensure that an adequate level of off-street parking would be retained to serve the property following the development. This was necessary to ensure that the proposal would not give rise to additional on-street parking. The applicant's agent has confirmed that the existing dwelling at No. 3 Croft Drive contains two bedrooms. On this basis, officers are satisfied that the proposed parking provision to the front of the dwelling would be sufficient to meet the parking demand associated with a two-bedroom property.

Furthermore, the submitted plans demonstrate that the proposed parking area is of a size and layout capable of accommodating two vehicles within the site. As such, officers consider that adequate off-street parking would be retained to serve the existing and proposed dwelling, and the proposal would not result in an unacceptable impact on highway safety or parking.

Details of bin storage have also been presented on the proposed plans which are been considered acceptable.

KC Highways Development Management consider the parking to be acceptable and therefore the application can be supported. A condition

relating to surfacing is recommended. Given the proximity of the site to the highway and fact bin storage can be undertaken in curtilage for the proposed dwelling and no.3 a condition relating to bin storage / collection is not considered to be required in this case. This is to accord with Policies LP21 and LP22 of the KLP and the Councils Highways Design Guide.

In view of the above it is considered that the proposal will be acceptable in highway safety terms reasonably satisfying the requirements of Policies LP21 and LP22 of the Local Plan and of the Highway Design Guide SPD (2019) in this regard.

6 – Other matters:

Carbon Budget

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.

Principle 18 of the Housebuilders Design Guide sets out that new proposals should contribute to the Council's ambition to have net zero carbon emissions by 2038, with high levels of environmental sustainability by ensuring the fabric and siting of homes, and their energy sources reduce their reliance on sources of non-renewable energy. Proposals should seek to design water retention into proposals. Policy 12 of the Holme Valley Neighbourhood Development Plan seeks to ensure that energy efficient designs are used in all new buildings.

The proposal is for the erection of a detached dwelling. Building regulations require a level of mitigation in relation to insulation and provision of electric vehicle charging. A Climate Change statement has been submitted alongside the application, and the submitted detail sets out a number of measures to be undertaken. The extent of the proposed measures are considered to be a proportionate level and to require further measures is not considered to be necessary in this case.

Drainage

The agent has indicated, on the submitted application form that both foul water from the developed site aisto be discharged into the mains sewer. Details of the drainage arrangements have not been provided; Due to the scale of the proposal, the statutory drainage bodies have not been consulted

on this application so it is not currently known whether these methods of drainage would be acceptable to them in this particular instance.

However, given that this site lies within a main built up area and is enclosed by residential development, it is considered that a suitable means of draining the development could be achieved in this instance.

In view of this, and as control over drainage matters can reasonably be exercised through the Building Control process, it is considered that there are no reasonable drainage grounds for opposing this development and no conditions are necessary given the scale of the proposal and requirements of other legislation.

Ecology/Trees/Bats

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

Chapter 15 of the National Planning Policy Framework is 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.

Principle 7 of the Housebuilders Design Guide Supplementary Planning Document is also of relevance. Which seeks to ensure existing features such as trees, habitats and landscape features are retained. Principle 9 requires that net gains in biodiversity are provided.

There have been updates to Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021, which result in biodiversity net gain being a statutory requirement. Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021.

KC Ecology have been consulted on the proposal and note the development appears to be within the original footprint of the building / hardstanding and is therefore exempt from BNG requirements.

In view of this it is considered that the proposal will reasonably satisfy the requirements of Policy LP30 of the Kirklees Local Plan and of Chapter 15 of the National Planning Policy Framework in ecological terms. A condition requiring provision of soft landscaping would be included to ensure a level of landscaping is retained and a boundary treatment condition would also be included which can ensure wildlife is able to move through the site. On the

basis of inclusion of these conditions it is considered a level of enhancement is provided by the development.

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.

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.

Recommendation **Approve**
Decision Authorisation - Delegated Powers
Application Number: 2025/93161
Officer 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 so as to ensure the satisfactory appearance of the development on completion, LP1, LP2, LP7, LP11, LP20, LP21, LP22, LP24, LP28, LP30, LP51 and LP52 of the Kirklees Local Plan, Chapters 2, 5, 8, 9,11, 12, 14 and 15 of the National Planning Policy Framework and the provisions of the Housebuilders Design Guide SPD (2021) and Highway Design Guide SPD (2019).

3. 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 12 and 19 of the Councils adopted House Builders Design Guide, the Council's adopted Highways Design

Guide and the policies within Chapter 9 of the National Planning Policy Framework

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) no development included within Classes A, AA, B, C, D & E of Part 1 of Schedule 2 to that Order shall be carried out within the red line boundary of the site.
Reason: To ensure that unsatisfactory extensions and outbuildings do not have an unacceptable impact on the amenities of surrounding properties, in accordance with the requirements of Policy LP24 of the Kirklees Local Plan and the provisions of the Housebuilders Design Guide SPD (2021).

5. The finished floor and slab levels of the development shall be in accordance with those shown on submitted drawing 25112 - 0303 - R02. The development shall not be brought into use until the finished floor and slab levels approved by this condition have been completed. The approved finished floor and slab levels shall be so retained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and the amenity of neighbouring occupiers to accord with Policy LP24 of the Kirklees Local Plan, principle 6 of the Council's adopted Housebuilders Design Guide SPD policies 1 & 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 of the National Planning Policy Framework.

6. Development above slab/foundation level shall not commence until details of all external materials including walls, roofing materials, doors, windows and colour finishes to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved scheme has been completed. No materials and colour finishes other than those approved in accordance with this condition shall be used which shall thereafter be retained and maintained for the lifetime of the development.
Reason: In the interests of visual amenity and to accord with Policies LP2 and LP24 of the Kirklees Local Plan, principles 2 and 13 of the Council's adopted Housebuilders Design Guide SPD policies 1, 2 & 12 of the Holme Valley Neighbourhood Development Plan and policies within chapter 12 of the National Planning Policy Framework.

7. Notwithstanding the details shown on the approved plans, the development shall not be brought into use until a scheme detailing the boundary treatment of the site has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include provision of hedgehog holes within boundaries. The development shall not be brought into use until the boundary treatment has been completed in accordance with the approved details. The scheme shall thereafter be retained.

Reason: In the interests of visual amenity and to provide biodiversity enhancement to accord with Policies LP24 and LP30 of the Kirklees Local Plan, principles 5, 6, 7 and 9 of the Council's adopted Housebuilders Design Guide SPD, policies 1, 2 & 13 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 12 & 15 of the National Planning Policy Framework.

8. Within the first planting season following the development hereby approved being brought into use the landscaping scheme detailed upon submitted drawing 5112 - 0301 - P02 shall have been completed. Following competition of the landscaping scheme all areas of soft landscaping shall be retained as soft landscaping for the lifetime of the development. If, within a period of at least five years from planting, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species.
Reason: In the interests of visual amenity and to provide biodiversity enhancement to accord with Policies LP24 and LP30 of the Kirklees Local Plan, principles 5, 6, 7 and 9 of the Council's adopted Housebuilders Design Guide SPD, policies 1, 2 & 13 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 12 & 15 of the National Planning Policy Framework.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 0800 7318765) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution. Footnote; - Adoption under Section 38 of the Highways Act: It is brought to the Applicants' notice that the Highway Development, Investment & Regeneration, Civic Centre 3, Market Street, Huddersfield HD1 2JR (Kirklees Street Care: 0800 7318765 or 'Highways.Section38@kirklees.gov.uk') must be contacted to discuss road adoption arrangements under Section 38 of the Highways Act 1980.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays
08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

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

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: -

Plan Type	Reference	Version	Date Received
Location Plan	25112 - 0101 - P01	-	25/11/2025
Proposed Block Plan	25112 - 0301 - P02	-	25/11/2025
Proposed Plans, Elevations and Block Plan	25112 - 0303 - R02	-	03/02/2026
Proposed Hardstanding Plan / BNG Plan	25112 - 0201 - P01	-	25/11/2025
Design & Access Statement	-	-	25/11/2025
Application form	-	-	25/11/2025
Climate Change Statement	-	-	25/11/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. Further information was requested in relation to the impact of the proposed dwelling on neighbouring properties, as well as the proposed parking and bin storage arrangements. Amended plans were submitted on 3 February 2026, which satisfactorily

addressed the officer’s concerns. The application was therefore progressed to determination on the basis of the revised plans.

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