

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:	2026/62/90664/W
Site Address:	65B, Westgate, Almondbury, Huddersfield, HD5 8XF
Description:	Alterations to convert garage to living accommodation to include new rooflight and window and amended window size (Listed Building within a Conservation Area)
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: 05-Jun-2026

2026/90664

65B, Westgate, Almondbury, Huddersfield, HD5 8XF

The Site

The application site relates to 65b Westgate a terraced property located in the area of Almondbury, Huddersfield. The property is a Grade II Listed Building which was formally No.65 but has since been split into two separate properties comprising of a garage and utility at the ground floor and an open plan living area, bathroom and an open bedroom at mezzanine level.

It is natural stone built to the front elevation with stone slate roof tiles and a stone chimney and is rendered on the rear elevation. It is situated off an unadopted access road which leads to the main 'Westgate' and the town centre of Almondbury.

It is within Almondbury Conservation Area and adjoins the Grade II Listed Building of 65A Westgate and is within the setting of other Listed Buildings to its north/northwest.

The Proposal

The applicant is seeking planning permission for alterations to convert garage to living accommodation to include new rooflight and window and amended window size (Listed Building within a Conservation Area).

To the front elevation, both existing garage doors would be removed and replaced with a single window positioned within the former openings. The surrounding walling would be rebuilt in natural stone to match the existing building.

To the side (west-facing) elevation, one tall window is proposed.

To the rear elevation, two new ground-floor windows are introduced along with a rooflight to provide additional natural light.

All window and door frames would be set back a minimum of 100 mm from the outer face of the stonework. All double-glazed units would incorporate black spacer bars, and the proposed windows would feature traditional butt hinges, stays and fasteners in either black or brass. The glazing units are 16 mm double-glazed.

Internally, one new door is proposed to create a link between the bedroom and the utility room.

All new windows and doors would be constructed in timber.

History of Negotiations

The case officer sought amendments to reduce the size of the ground floor windows to align with existing first floor openings. Amended plans were submitted and the application has been progressed to determination on the basis of these.

Planning History

Relevant planning history for this site is summarised as follows:-

2003/90095: Listed Building Consent for installation of satellite dish (within a Conservation Area) – Consent granted

2024/93047: Conversion of garage to living space with new windows (Listed Building within a Conservation Area) – Conditional full permission

2024/93048: Listed Building Consent for conversion of garage to living space with new windows (Within a Conservation Area) – Consent granted

2025/91834: Nonmaterial amendment to previous permission 2024/93047 for conversion of garage to living space with new windows (Listed Building within a Conservation Area) – Approved

2025/91901: Listed Building Consent for conversion of garage to living space with new windows (Within a Conservation Area) – Consent granted

Publicity & Representations

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

Final publicity date expired: 1 May 2026.

One representation was received as a result of the publicity. This raises the following summarised points:

- Currently a large privet hedge prevents views being able to be taken from the site although this is due to be reduced in height

- Impact upon privacy as a result of additional overlooking as a result of the proposal

The amended plans were not re-publicised as these did not fundamentally change the development applied for and as initially publicised.

Parish/ Town Council Comments

N/A.

Consultations

KC Conservation & Design – following submission of amended plans, confirm they have no objection to the proposed scheme.

Allocation & Policies

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

The site is within Almondbury Conservation Area and is a Grade II Listed Building and is within the setting of nearby Listed Buildings.

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

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP35 Historic Environment

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16th 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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 9 – Promoting sustainable transport
- 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
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)
Kirklees Highway Design Guide (November 2019)

Legislation

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

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

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'

Assessment

1 – Principle of development:

Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that "good design should be at the core of all proposals in the district".

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon visual amenity (including impact on heritage)

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the

character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The site is a Grade II Listed Building, and is located within Almondbury Conservation Area. Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas. This is echoed within policy LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

Paragraph 212 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset the Local Planning Authority should give great weight to the heritage asset's conservation irrespective of the level of harm.

LP35 of the Kirklees Local Plan requires that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets.

At paragraphs 214 – 216 the NPPF is clear, that where development leads to substantial harm, this is necessary to achieve substantial public benefits that outweigh that harm or, in the case of less than substantial harm this should be weight against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The building's original listing refers to "Barn behind number 65 Westgate". A shortened `synopsis is as follows: 'WESTGATE 1. 5113 (South Side) Almondbury Barn behind No 65 SE 1614 45/75 2.6.76. II GV 2. C18 or early C19. Coursed rubble. Pitched stone slate roof. 2 storeys. Barn door with segment-headed arch. Door with loading door above. Crown post trusses. Extension to south-west has a door with 6 ft monolithic lintel.'

In this context, preservation means not harming the interest of the building itself, or the wider conservation area within which it is set.

The proposal comprises a series of modest external and internal alterations designed to improve the day-to-day functionality of the dwelling while respecting and preserving the architectural and historic interest of the listed building. To the front elevation, the existing garage doors would be removed

and replaced with a single window positioned within the former openings. The surrounding walling would be rebuilt in natural stone to match the existing building, ensuring that the principal elevation retains a coherent and sympathetic appearance that sits comfortably within the established character of the property.

On the side (west-facing) elevation, a tall window is proposed. This addition is modest in scale and has been positioned to increase natural light to internal rooms and to serve as an access point to the gable end of the property. Its placement and proportions ensure that it does not disrupt the architectural rhythm of the elevation.

To the rear elevation, two new ground-floor windows and a rooflight are proposed. These elements are located on a less sensitive elevation and are intended to enhance internal amenity without altering the building's overall character. The submitted plans confirm that the rooflight would be of conservation style, which represents a more sensitive design approach. This ensures the rooflight sits discreetly within the roofscape and is therefore considered acceptable in heritage and visual terms.

All window and door frames would be set back a minimum of 100 mm from the outer face of the stonework, reflecting traditional construction methods and ensuring appropriate depth and shadowing. The double-glazed units would incorporate black spacer bars, and the proposed windows would feature traditional butt hinges, stays and fasteners in either black or brass. The glazing units are 16 mm double glazed.

All new windows and doors would be constructed in timber, which is consistent with the historic fabric of the building and ensures a sympathetic and in keeping finish.

Internally, a single new door is proposed to create a link between the bedroom and the utility room. This is a minor, functional intervention that does not affect any significant historic fabric and remains fully reversible.

A heritage statement has been submitted in support of the application. It outlines that the proposed alterations would use materials to match the existing dwelling and would not adversely affect the heritage value of the property. The statement concludes that the works are sensitive in approach and would preserve the character of the listed building.

KC Conservation and Design were consulted on the proposal and initially raised concerns regarding the width of the proposed ground-floor windows, and officers advised that these openings should be reduced to better reflect the proportions of existing windows. Amended plans have since been

submitted incorporating these changes, and the revised design now aligns more closely with the established character of the building. Given these amendments and considering the small-scale nature of the works, it is considered that the proposal would not result in harm to the significance of the listed building, subject to appropriate condition requiring use of matching materials and that the development is undertaken in accordance with the submitted plans.

Overall, the design is regarded as having a neutral impact upon the significance of the heritage asset. The works are minimal, functional, and sympathetic, and they support the continued viable use of the building as a dwelling. Any limited degree of change is outweighed by the public benefit of ensuring the building remains in active, sustainable use, thereby securing its long-term use.

It is therefore considered that in terms of visual amenity, the proposal would comply with Policy LP24 and LP35 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and policies within Chapters 12 and 16 of the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

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

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”.*
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*

- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”*.
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

The proposal would introduce additional openings to the front, side and rear elevations. The side-facing window would be positioned approximately 1.5 m from the side elevation of No. 67; however, this neighbouring elevation is blank and serves only a narrow alleyway between the properties. As such, officers are satisfied that a ground floor window in this location would not give rise to overlooking or privacy concerns.

The new openings to the front and rear would continue an existing pattern of inter-facing relationships and are all at ground-floor level. The front windows would retain a separation distance of around 15 m to Nos. 69 and 71 Westgate, while the rear windows would be approximately 24 m from No. 35 Westgate. Although the front separation distance falls below recommended guidelines for facing windows, officers note that the properties already face one another across driveways and a public road. Given this established context, the proposal is not considered to result in any material increase in overlooking or loss of privacy.

The proposal would see a roof light inserted to the rear roof slope, given the oblique angle this would be sited it is not considered to give rise to a significant increase or additional overlooking.

The openings to the rear are not considered to lead to a significant increase in overlooking of neighbouring occupiers / amenity spaces particularly taking account of the design of the scheme and in light of the extant consent (listed in the planning history section of this report). Regard is given to the development able to be undertaken, and the additional impact resulting in this case. It is therefore concluded the proposal would not have a significant impact in this regard.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be

relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

The proposed development would introduce an additional bedroom, increasing the total number of bedrooms to two. The proposal is to update an existing dwelling to render it more habitable for modern use, it would be in a highly sustainable location with close access to facilities, services and recreation near Almondbury District Centre with frequent public transport links nearby. Although the scheme would result in the loss of the garage parking space, the full extent of the front driveway would be retained. This area provides a sufficient and practical space to accommodate off-street parking for the dwelling, and officers therefore consider the parking provision to remain acceptable.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

6 – Representations:

The following summarised representations were received and are addressed below:

- Currently a large privet hedge prevents views being able to be taken from the site although this is due to be reduced in height
- Impact upon privacy as a result of additional overlooking as a result of the proposal

The impact of the proposal in relation to privacy / overlooking considerations is set out in section 3 of this report.

7 – Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2026/90664
Officer Recommendation: Approve

Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22, LP24 & LP35 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document, and Policies within Chapters 2, 9, 12, 14 & 16 of the National Planning Policy Framework

3. The external materials used for the development hereby approved including those used in the construction of the windows, window surrounds and infill works of the garage shall in all respects match those used in the construction of the existing building and be thereafter retained.

Reason: In the interests of visual amenity and the preservation of a listed building to accord with Policies LP2, LP24 and LP35 of the Kirklees Local Plan and policies within Chapters 12 and 16 of the National Planning Policy Framework.

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing & Proposed layouts and elevations	24 J 33. 01 E	-	29/05/2026
Window and door details.	24 J 33. 02 B	-	04/06/2026
Climate Change Statement	-	-	16/03/2026
Heritage Statement	-	-	16/03/2026
Application form	-	-	16/03/2026

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. The case officer sought amendments to reduce the size of the ground floor windows to align with existing first floor openings. Amended plans were submitted and the application has been progressed to determination on the basis of these.

LOW COAL