

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:	2026/62/90929/W
Site Address:	adj, 60, Cowrakes Road, Oakes, Huddersfield, HD3 3ST
Description:	Demolition of existing garages and erection of leisure annex with associated external alterations
Recommending Officer:	Nicole Helliwell

DECISION – Conditional Full Permission

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

Sarah Longbottom

AUTHORISED OFFICER

Date: 14 August 2026

Officer Report

Reference No. 2026/62/90929/E

Site Address: adj, 60, Cowrakes Road, Oakes, Huddersfield, HD3 3ST

Proposal: Demolition of existing garages and erection of leisure annex.

Site Description

The application relates to a parcel of land adjacent to 60 Cowrakes Road, a two-storey mid-terrace property located in Oakes, Huddersfield. The dwelling was constructed in the early 19th Century and is Grade II listed. The property is faced in hammer dressed stone, part rendered and incorporates a pitched roof finished in stone slate. The neighbouring properties are of residential use and comprise predominately stone built dwellings of varying sizes and architectural styles. The site is not located within a conservation area or any public right of ways. However, the site is located adjacent to 58, 60, 62 and 64 Cowrakes Road, which are Grade II Listed.

Description of Proposal

The application seeks planning permission for the erection of a single storey outbuilding to form annex accommodation associated with 60 Cowrakes Road. The existing garages will be demolished to allow for the proposed works. The proposed outbuilding would have a length of approx. 6.8m, a depth of approx. 6m, an overall height of approx. 4.6m and an eaves height of approx. 2.85m. The structure would be faced in natural coursed stone for the external walls and would incorporate a dual-pitched roof finished in natural blue/grey slate with anthracite PVC fenestration.

History of Negotiations/Amendments Received

Amendments were received during the course of the application to address comments from KC Conservation and Design. Officers initially raised concerns regarding the curtilage listed stone wall which was to be removed as part of the application. However, revised drawings were received showing that this wall is to be retained which is acceptable.

Relevant Planning History

- **2022/93173:** Listed Building Consent for replacement windows and external door. [Planning application details | Kirklees Council](#) – Consent Granted
- **2020/91084:** Outline planning application for erection of detached dwelling. [Planning application details | Kirklees Council](#) – Conditional Outline Permission

Representations

The application was publicised by site notice and press advertisement, which expired on 6th June 2026. As a result of the above publicity, two representations have been received. The comments have been summarised below:

- It concerns the proposed demolition of the front garden wall of number 60 in order to provide a car parking space. This would significantly detract from the uniform appearance of this short row all of which have a front garden terminated by a stone wall providing access to the footpath.
- I telephoned planning this morning to ask for the Listed Building team in relation to this part of the plan as shown in the drawing of the annex and proposed parking of cars. They said the call-back system would over run the end date for comments, Saturday 6th June, hence this email now.
- Is the capacity of the water supply adequate? We share a water main
- We hope we don't lose the pleasing aspect of the old stone walling along the lane and facing the listed properties.
- The corner where the side and rear elevation meet appears to be less than a car's width from the existing boundary.
- Due to significant physical impairment, vehicular access along our entire lane from Cowrakes Road to our gate is necessary 24/7.
- Advance warning of the contractor's requirements is essential, arrangements need to be agreed between all of us.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the 'Assessment' section of the report, where appropriate):

KC Conservation & Design – No objection subject to conditions relating to materials, recessed windows and doors and boundary treatments

KC Highways Development Management – No objection

KC Ecology – No objection

The Mining Remediation Authority – No objection

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. However, the site is located adjacent to Grade II Listed 58, 60, 62 and 64 Cowrakes Road. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 3** - Location of New Development
- **LP 21** - Highway Safety and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity & Geodiversity
- **LP 35** - Historic Environment
- **LP 52** - Protection and Improvement of Environmental Quality

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 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), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

In this case, the following SPDs are applicable: -

- House Extensions and Alterations SPD (adopted 29th June 2021)
- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Most specifically in this instance, the below chapters are of most relevance:

- **Chapter 2** - Achieving Sustainable Development
- **Chapter 4** - Decision-Making
- **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

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.

Assessment

1. Principle of Development

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design.

In this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety.

1. Impact on Visual Amenity and Historic Environment

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (SPD) does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the SPD goes onto state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

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.”*

Paragraph 135 c) of the NPPF sets out that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic

environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

Paragraph 210 of the NPPF is also of relevance and states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- a) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- b) the desirability of new development making a positive contribution to local character and distinctiveness.

The application relates to a parcel of land south of 60 Cowrakes Road, a Grade II listed dwelling located in Oakes, Huddersfield. The proposal seeks to erect a single storey outbuilding to form annex accommodation associated with 60 Cowrakes Road. The outbuilding would have a length of approx. 6.8m, a depth of approx. 6m, an overall height of approx. 4.6m and an eaves height of approx. 2.85m. The structure would be faced in natural coursed stone for the external walls and would incorporate a dual-pitched roof finished in natural blue/grey slate with anthracite PVC fenestration. KC Conservation and Design were informally consulted on the proposal and initially raised concerns regarding the curtilage listed stone wall which was to be removed as part of the application. However, revised drawings have since been received demonstrating that this wall is to be retained which is acceptable. On this basis, subject to the recommended conditions, the proposed development would be visually acceptable and would not cause any detrimental harm to the significance of the adjacent Listed Buildings.

Summary

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework. Furthermore, the proposal would not cause any detrimental harm to the significance of the Grade II Listed Buildings in accordance with Policy LP35 of the Kirklees Local Plan, Chapter 16 of the NPPF and the requirements of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

2. Impact on Residential Amenity

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 SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

Impact on 4 Crest Court

4 Crest Court is a two-storey semi-detached dwelling located south of the application site. The proposed annex building would occupy a position approximately 3.4m from the side elevation of the neighbouring dwelling. However, given the offset positioning, it is considered that the proposed development would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of the neighbouring occupants, over and above the existing arrangements on site.

Impact on 58-64 Cowrakes Road

58 – 64 Cowrakes Road are a row of two-storey terraced properties located north-west of the application site. It is noted that the proposed development would be positioned approximately 20m from the front elevations of the neighbouring properties. However, given the angled positioning and indirect relationship between the annex and no.58-64 including their habitable windows, it is considered that there would be no additional harm to the neighbour's residential amenity with regard to overbearing, overshadowing, or overlooking impact.

Impact on 66 Cowrakes Road

66 Cowrakes Road is a two-storey end terrace property located west of the application site. The submitted plans demonstrate that the annex would occupy a position approximately 13.8m from the neighbouring property. However, given the separation distance and the structure's offset positioning, it is considered that the proposed development would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of the neighbouring occupants, over and above the existing arrangements on site.

Summary

Having considered the above factors, the development proposed would have an acceptable impact upon the residential amenity of the neighbouring occupants and would comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions and Alterations SPD and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The existing access is retained from the unadopted unmade lane shared with neighbours from Cowrakes Road. Whilst this is narrow by current standards and would benefit from resurfacing, weight is given, and accepted previously under planning application reference no. 2020/91084, that the demolition of the existing six garages represents a de-intensification. Additionally, the usage is of long standing and would be like the outline consent for one dwelling even if there is occasional use of the leisure annex for overnight accommodation.

The proposed area of hard surfacing is an adequate size to allow for parking for the existing dwelling and the proposed annex. The amount of parking would meet the advice outlined within the Kirklees Highway Design Guide SPD and would be in line with Kirklees Local Plan Policy LP22 with there being space for flexible arrangements, including a visitor parking space. The hardstanding should be of a permeable surface material. The proposal does not raise significant issues for public/road safety or network functionality in accordance with policy LP21. On this basis, KC Highways Development Management have raised no objection to the scheme. Therefore, the development is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4. Other Matters

Climate Change

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

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures.

Biodiversity

The development is subject to the de minimis exemption and as such, would be exempt from providing Biodiversity Net Gain. At this stage, Officers are only able to assess this on the basis of submitted information. Should the proposal be considered not exempt by reason of not being this or other relevant categories for the scale of the development then an appropriate condition, supported by a BNG metric submitted for the approval of the LPA, would be required to ensure on-site BNGs would last for at least 30 years to meet the requirements of this legislation.

Coal Mining Legacy

The application site falls marginally within the defined Development High Risk Area (DHRA). The Mining Remediation Authority's information indicates that the extreme north-western part of the site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. The Mining Remediation Authority's general approach in cases where development is proposed within the DHRA is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support their planning application. However, officers note that the proposed leisure annex and associated works lie outside of the DHRA and would fall within the Development Low Risk Area. The Mining Remediation Authority's Planning & Development Team therefore does not consider that a Coal Mining Risk Assessment is required to support the proposal in this instance, and they do not object to the planning application subject to the inclusion of an informative note.

Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors. It is therefore necessary for a footnote to be imposed restricting the hours of operation for the site.

Use of the Annex

A condition will be imposed restricting the annex accommodation from being sold, leased, rented or used as an independent dwelling unit or let out as holiday accommodation in accordance with the aims of Policies LP21, LP22 and LP24 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

There are no other matters considered relevant to the determination of this application.

5. Representations

Two representations were received following the statutory publicity. The comments made have been summarised and addressed below:

- It concerns the proposed demolition of the front garden wall of number 60 in order to provide a car parking space. This would significantly detract from the uniform appearance of this short row all of which have a front garden terminated by a stone wall providing access to the footpath. I telephoned planning this morning to ask for the Listed Building team in relation to this part of the plan as shown in the drawing of the annex and proposed parking of cars. They said the call-back system would over run the end date for comments, Saturday 6th June, hence this email now.

Officer Response: *Revised drawings were received during the course of the application showing that the curtilage listed wall is to be retained.*

- Is the capacity of the water supply adequate? We share a water main
- Officer Response:** *This matter would not constitute a material planning consideration.*

- We hope we don't lose the pleasing aspect of the old stone walling along the lane and facing the listed properties.

Officer Response: *A condition has been added to the decision notice requiring details of boundary treatments to be submitted and approved in writing by the Local Planning Authority.*

- The corner where the side and rear elevation meet appears to be less than a car's width from the existing boundary.

Officer Response: *The proposal's potential impact on the appearance and character of the street scene has been assessed within the 'visual amenity' section of the report.*

- Due to significant physical impairment, vehicular access along our entire lane from Cowrakes Road to our gate is necessary 24/7.

Officer Response: *Access is a private matter and would not constitute a material planning consideration.*

- Advance warning of the contractor's requirements is essential, arrangements need to be agreed between all of us.

Officer Response: *This would be a private matter and would not constitute a material planning consideration.*

6. Conclusion

This application for the erection of a leisure annex at land adjacent to 60 Cowrakes Road has been assessed against relevant policies in the

development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered to be 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. 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: 2026/90929

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP21, LP22, LP24, LP30, LP35 and LP52 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. Notwithstanding the submitted plans and details, the annex hereby approved shall be constructed from natural coursed stone for the external

walls and natural blue/grey slate for the roof. The materials of construction shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapters 12 and 16 of the National Planning Policy Framework.

4. Notwithstanding the submitted plans and details, the new windows and doors shall be constructed in anthracite grey PVC, recessed by 100mm to 150mm and retained thereafter.

Reason: In the interests of visual amenity and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapters 12 and 16 of the National Planning Policy Framework.

5. Notwithstanding the submitted plans and details, the fascia board shall be finished in dark grey/black and retained thereafter.

Reason: In the interests of visual amenity and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapters 12 and 16 of the National Planning Policy Framework.

6. The residential annex accommodation hereby approved shall be used solely for purposes ancillary or incidental to the enjoyment of the existing dwellinghouse known as '60, Cowrakes Road, Oakes, Huddersfield, HD3 3ST' and shall at no time be sold, rented, or severed to be occupied as a separate independent dwelling unit.

Reason: To protect residential amenity and highway safety in accordance with Policies LP21, LP22 and LP24 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework

7. Notwithstanding the submitted plans and information, before development commences on the superstructure of the annex hereby approved, full details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details before the annex building is first brought into use and thereafter retained.

Reason: This pre-commencement condition is in the interest of visual and residential amenity, in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 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 Local Highway Authority is required. You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the site access(es).

This process will involve entering into a Section 38, 184 or 278 agreement of the Highways Act 1980, or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

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.

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.

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.

Plans and specifications schedule:

Plan Type	Reference	Revision	Date Received
Location Plan	(LOC)	-	16/04/2026
Existing Site Plan	2968_ACU (100)02	-	16/04/2026
Floor Plan, Elevations & Site Plan As Proposed	2968_(100)01	A	14/07/2026
Site Plan with Additional Context	2968_(100)03	B	14/07/2026
Climate Change Statement	-	-	16/04/2026

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 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. The Case Officer undertook negotiations with the agent to secure amended plans. The revised drawings received addressed KC Conservation and Design's comments and were considered acceptable. The applicant's agent has confirmed their agreement to the pre-commencement condition.

Report Dated: 14/08/2026

