

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:	2026/62/91223/W
Site Address:	48, Greenhead Road, Huddersfield, HD1 4EZ
Description:	Erection of outbuilding and associated engineering 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: 06-Jul-2026

The Site

48, Greenhead Road is a detached single storey property, finished in stone with a tiled roof. The property is elevated and set back from the roadside, separated by a front garden. There is a driveway to the side which leads to a detached outbuilding with a larger garden located to the rear. The surrounding area is predominantly residential whereby there are a mixture of property types and styles. Opposite the site is predominantly detached bungalows constructed from stone or brick, with two-storey traditional stone properties adjacent to the site.

The site is unallocated on the Kirklees Local Plan map.

The Proposal

The applicant is seeking planning permission for erection of outbuilding and associated engineering works.

The outbuilding is located to the rear of the dwelling, measuring 21m in width and 5.4m in depth. The outbuilding is designed with a flat roof measuring approximately 2.6m in height.

At the time of the site visit the development was partially completed.

Internally, the building serves a summer room, garden store room and gym and storage room.

There are openings proposed to the front / south east facing elevation consisting of 4 windows and 2 doors. To the rear and side of the outbuilding is a retaining wall measuring around 3m in height.

The application form sets out the development is constructed from blockwork and render.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Planning History

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

2008/94414: Erection of ground floor single storey extension and first floor extensions with alterations to roof – Conditional full permission

2024/91144: Erection of single storey front extension – Refused

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.

Final publicity date expired: 25 June 2026.

No representations were received as a result of the publicity.

Parish/ Town Council Comments

N/A.

Consultations

KC Trees: Due to existing hardstanding and the sites sunken level no trees will be impacted by the development. There is no objection and no need for further information with regards to trees.

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).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019). The suite is unallocated within the local plan although falls within an area with a known presence of bats and in an area identified as being at higher risk of ground movement as a result of former mining activity. 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

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 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

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.

Assessment

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. 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

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.

Paragraphs 5.29 and 5.30 of the SPD relate to outbuildings and provide the following guidance:

"5.29 Outbuildings, such as garden offices, detached garages and granny annexes, can have as much of an impact on the appearance of the building as any other extension. Wherever possible these should reflect the style, shape and architectural features of the existing house and not be detrimental to the space around the building.

5.30 Outbuildings should normally:

- be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;*
- be set back behind the building line of the original building so that they do not impact on the street scene; and*
- preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and follow a general principle that no more than 50% of garden space should be lost."*

The outbuilding is situated to the rear of the dwelling, set back more than 25 m from the public pavement. While its footprint of approximately 21 m by 5.4 m is relatively substantial and noticeably wider than the host property, the proposal would still retain the full extent of the front amenity space as well as a functional and usable area of external amenity space to the rear. Its overall height remains significantly lower than that of the main dwelling, meaning it would not visually compete with or dominate the host building. Officers acknowledge that both the outbuilding and the associated retaining structures

are large in scale; however, given the reduced height, limited depth, and the fact that the structure sits well within the rear garden envelope, it is not considered to result in an unduly harmful impact on the character or setting of the host property. For these reasons, the development is considered to read as an acceptable and these site specific factors constitute suitable justification for the proposed addition that sits comfortably within the established garden context and maintains the visual balance of the original dwelling.

The structure would be largely screened from wider public views due to the existing front boundary treatments and the presence of the host dwelling, both of which provide a substantial visual buffer between the outbuilding and the public realm. Its siting more than 25 m back from the road further reduces its visibility, meaning it would sit well within the private rear garden envelope rather than forming part of the immediate street scene. As a result, the development is not considered to present a prominent or intrusive feature when experienced from public vantage points, and its overall impact on the public realm would remain limited and acceptable.

The application form states that the outbuilding is constructed from blockwork and render. To ensure the development achieves an appropriate visual finish that complements the host dwelling, officers consider it reasonable to impose a condition requiring the render to be finished in a cream or off-white colour.

It is therefore considered that in terms of visual amenity, subject to a condition relating to the render colour finish, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within 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.”*

With regard to overbearing impact and overshadowing, the development is positioned within the rear amenity space of the host property, which sits at a lower land level than the neighbouring gardens to both the rear and sides. This change in levels means the outbuilding and its associated retaining structures would not introduce a materially greater sense of enclosure than currently experienced, nor would they cast significant additional overshadowing over neighbouring properties. As the outbuilding is located on a lower land level and remains visually contained within the host garden, officers consider that any perceived massing would be limited and would not result in an unacceptable or harmful relationship with surrounding properties.

With regard to overlooking and privacy, the outbuilding has been designed with a flat roof, and in the interests of safeguarding the amenity of neighbouring occupants, a condition will be applied to ensure this roof area is used solely as a roof and not as a balcony or terrace during the lifetime of the development. Allowing the roof to function as a terrace could create direct and elevated lines of sight into the rear amenity spaces of neighbouring properties flanking the site, resulting in a level of overlooking that would be significantly greater than the existing situation and materially harmful to established privacy relationships. The proposed restriction therefore represents a proportionate and necessary measure to maintain acceptable levels of residential amenity for surrounding occupiers.

Given the scale of the building, for the avoidance of doubt as to what is being considered a condition requiring its use to be ancillary to the host property is recommended and to ensure it is not used for any commercial activity. Such a condition is considered necessary so that the LPA can assess the impact of such a use were it to arise in the future.

It is therefore considered that subject to conditions, in terms of residential amenity, the proposal 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 not increase the number of bedrooms on site, and it is considered the number of occupants within the dwelling would remain as existing. The extension is located to the rear of the property, on an area that appears to have previously formed part of the lawned garden, and the proposal would retain the full side driveway. This arrangement is considered to provide an adequate space for parking and manoeuvring within the site, avoiding the need for vehicles to park on the highway. As such, the development does not raise concerns in relation to parking provision or highway safety.

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:

Land Stability

Policy LP53 of the Kirklees Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The application site falls within an area at low / High risk of ground movement as a result of past mining activities as determined by the Mining Remediation Authority. Whilst falling within a high risk area the Mining Remediation Authority identify the development type as that which does not need submission of a Coal Mining Risk Assessment.

The works are significantly completed, and it is noted they retain land, the works retain land of neighbouring properties gardens. Paragraph 197 of the National Planning Policy Framework states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. In this case it appears satisfactory consideration of land stability has been undertaken to ensure the works retain the land. Notwithstanding this point, the requirements of para 197 of the NPPF are recommended to be drawn to the applicants attention as an informative note.

As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in

accordance with policy LP53 and paragraphs 180 and 189 of the National Planning Policy Framework.

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 of a nature not considered to have a significant 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:

None received

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: 2026/91223

Officer Recommendation: Approve

Conditions

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22 & LP24 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 and 14 of the National Planning Policy Framework.
2. The external walls of the outbuilding and associated retaining walls hereby approved shall be completed with an off-white, stone or cream through render material and colour finish. The external material and colour finish approved by this condition shall be completed prior to the development being brought into use and thereafter retained for the lifetime of the development.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.
3. The flat roof of the outbuilding to rear hereby approved shall be used as a roof area only and shall not be used as a balcony or terrace area at any time throughout the lifetime of the development.
Reason: To ensure no detrimental level of overlooking of neighbouring occupiers occurs in the interests of the residential amenity of neighbouring occupiers to accord with policy LP24 of the Kirklees Local Plan, Principles 3 and 4 of the Council's adopted House Extensions and Alterations SPD and Policies within Chapter 12 of the National Planning Policy Framework.
4. The use of the building hereby approved shall be restricted to purposes ancillary to the enjoyment of the dwelling and it shall not be used for any business or commercial purpose.

Reason: In the interests of the amenity of the occupiers of neighbouring properties and in the interests of access and highway safety to accord with policies LP21, LP22 and LP24 of the Kirklees Local Plan and policies within Chapters 12 and 15 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 and Prop Layouts and Elevations	2617/01	-	07/05/2026
Design and Access Statement	-	-	07/05/2026
Climate Change Statement	-	-	12/05/2026
Application form	-	-	07/05/2026

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

High coal

