

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:	2026/62/91303/E
Site Address:	30, Knowl Road, Mirfield, WF14 8DJ
Description:	Erection of detached garage
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.

Emma Thompson

AUTHORISED OFFICER

Date: 08-Jul-2026

Officer Report

Reference No. 2026/62/91303/E

Site Address: 30, Knowl Road, Mirfield, WF14 8DJ

Proposal: Erection of detached garage

Site Description

The application relates to 30 Knowl Road, a two-storey detached property situated in Mirfield. The dwelling is faced in stone at ground floor level with render at first floor level and incorporates a dual-pitched/hipped roof finished in slate. The neighbouring properties are of residential use and are predominately stone built dwellings of varying ages, sizes and styles. The site is not within a conservation area, nor are there any listed buildings or Public Rights of Way (PROW) within close proximity to the site.

Description of Proposal

The proposal is for the erection of a detached garage. The structure would be 'L' Shaped and would measure approx. 10m overall in width, approx. 7.56m overall in depth and approx. 6.8m overall in height. The detached garage would be constructed from natural stone for the external walls and would incorporate a dual-pitched roof finished in natural slate.

History of negotiations / amendments received

No amendments were sought or received during the course of the application.

Relevant Planning History

- **2003/91109:** Erection of detached double garage with granny flat over.
Planning application details | Kirklees Council – Conditional Full Permission

Representations

The application was publicised by site notice, which expired on 6th July 2026. As a result of the above publicity, one representation has been received. The comments made have been summarised below:

- The proposed garage is positioned in close proximity to the shared boundary with No. 32 Knowl Road. Based on the submitted site plan, the separation distance between the proposed structure and the side elevation

of No. 32 appears to be approximately 5–6 metres. We feel that this distance is insufficient given the scale, massing, and siting of the proposed building.

- The garage is not a minor structure but a substantial double garage with a significant roof form and ridge height, which would introduce a permanent and prominent built form adjacent to the neighbouring boundary. We are concerned that the proposed building may create an overbearing and enclosing effect when viewed from the garden of No. 32.
- No. 32 has a primary kitchen window located on the side elevation, which provides an important source of outlook and natural light to a principal habitable room. The submitted plans suggest that the garage would occupy a dominant position in close proximity to this window, reducing openness and outlook. The development would replace an otherwise open aspect with a substantial built form, potentially resulting in a noticeable reduction in visual amenity for the occupiers of No. 32.
- We understand that there is no single fixed statutory separation distance in planning policy; however, established design guidance and planning appeal decisions generally recognise that adequate separation between substantial outbuildings and principal windows of neighbouring dwellings is important to safeguard residential amenity.
- A separation distance in the region of 10–12 metres is often referenced in design guidance as a useful benchmark for maintaining acceptable residential relationships where development introduces a significant built form opposite principal habitable room windows.
- In this case, the proposed separation of approximately 5–6 metres appears materially below what may ordinarily be considered acceptable, particularly given the scale of the proposed garage and the sensitivity of the affected kitchen window.
- Taken together, the proposed development has the potential to result in:
 - reduced outlook;
 - an increased sense of enclosure; and
 - a greater degree of visual presence in proximity to a principal habitable room window.

In our view, these factors are likely to adversely affect the level of residential amenity currently experienced at No. 32 and should be carefully considered as part of the assessment of the application.

- We do not object in principle to our neighbours constructing a garage; but prior to this would request that amendments are made to increase the separation distance from the boundary and reduce the overall height of the structure. There is also ambiguity about its proposed position.
- A desire for increased privacy from our neighbours doesn't seem to align with the position of the build as far as we understand the plans

Consultation Responses

Not Applicable.

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 most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity and Geodiversity
- **LP 52** - Protection and Improvement of Environmental Quality

Supplementary Planning Guidance/Documents:

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:

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

- **Chapter 2** - Achieving Sustainable Development

- **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

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.

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

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 on to 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 detached garage would be single storey in height and would be located north-west of the host dwelling. The structure would be 'L' shaped and would measure approx. 10m overall in width, approx. 7.56m overall in depth and approx. 6.8m overall in height. The garage would be constructed from natural stone for the external walls and would incorporate a dual-pitched roof finished in natural slate which would generally match the appearance of the original build. Although the proposed structure would have a large footprint and scale, it would appear subservient in relation to the host dwelling and would be set back approximately 17.35m from the public pavement which would reduce its prominence and visibility from vantage points along Knowl Road. For these

reasons, the proposed development is not considered to have any significant visual impact on the character and appearance of the host property and surrounding area and therefore, would be acceptable in this regard.

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, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 12 of the National Planning Policy Framework.

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 28 Knowl Road

28 Knowl Road is a two-storey semi-detached property located south-east of the application site. The proposed garage would be sited approximately 16.3m from the common boundary shared with no.28. Given that the separation distance retained would be sufficient and that the structure would be concealed to some degree by the existing boundary treatment, it is considered that the proposal would not result in any undue harm to the neighbouring occupants with regards to overbearing, overshadowing or overlooking.

Impact on 32 Knowl Road

32 Knowl Road is a terraced property located to the north-west and occupies an elevated position relative to the application site. The proposed garage would occupy a position approximately 5.5m from the side elevation of no.32. Whilst the structure would surpass the rear elevation of the neighbouring dwelling, it would accord with the 45 degree rule in relation to the neighbour's rear fenestration. It is also noted that no.32 contains several windows within its side elevation, however, given the difference in ground level and that the structure is single storey in height, it is considered that there would be no significant detrimental impact on the neighbouring amenity as a result of the proposed development.

Impact on 31 and 33 Knowl Road

31 and 33 Knowl Road are residential properties located south-west of the application site. The submitted plans confirm that the detached garage proposed would be located approx. 33m from no.33 and approx. 33.4m from no.31. Given that the separation distances retained would be substantial, it is considered that there would be no undue harm to the neighbour's residential amenity with regards to overbearing, overshadowing or overlooking impact.

Occupier Amenity

The plans confirm that sufficient outdoor amenity space of a functional layout would be retained at the site. On this basis, the proposed works would ensure an acceptable standard of amenity for existing and future occupants.

Summary

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying 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 proposed alterations would not intensify the domestic use at the dwelling or affect the existing parking arrangements on site. 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

Carbon Budget

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

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

5. Representations

One representation was received following the statutory publicity. The comments made have been summarised and addressed below:

- The proposed garage is positioned in close proximity to the shared boundary with No. 32 Knowl Road. Based on the submitted site plan, the separation distance between the proposed structure and the side elevation of No. 32 appears to be approximately 5–6 metres. We feel that this distance is insufficient given the scale, massing, and siting of the proposed building.
- The garage is not a minor structure but a substantial double garage with a significant roof form and ridge height, which would introduce a permanent and prominent built form adjacent to the neighbouring boundary. We are concerned that the proposed building may create an overbearing and enclosing effect when viewed from the garden of No. 32.
- No. 32 has a primary kitchen window located on the side elevation, which provides an important source of outlook and natural light to a principal habitable room. The submitted plans suggest that the garage would occupy a dominant position in close proximity to this window, reducing openness and outlook. The development would replace an otherwise open aspect with a substantial built form, potentially resulting in a noticeable reduction in visual amenity for the occupiers of No. 32.
- We understand that there is no single fixed statutory separation distance in planning policy; however, established design guidance and planning appeal decisions generally recognise that adequate separation between substantial outbuildings and principal windows of neighbouring dwellings is important to safeguard residential amenity.
- A separation distance in the region of 10–12 metres is often referenced in design guidance as a useful benchmark for maintaining acceptable residential relationships where development introduces a significant built form opposite principal habitable room windows.
- In this case, the proposed separation of approximately 5–6 metres appears materially below what may ordinarily be considered acceptable, particularly given the scale of the proposed garage and the sensitivity of the affected kitchen window.
- Taken together, the proposed development has the potential to result in:
 - reduced outlook;
 - an increased sense of enclosure; and
 - a greater degree of visual presence in proximity to a principal habitable room window.

In our view, these factors are likely to adversely affect the level of residential amenity currently experienced at No. 32 and should be carefully considered as part of the assessment of the application.

- We do not object in principle to our neighbours constructing a garage; but prior to this would request that amendments are made to increase the

separation distance from the boundary and reduce the overall height of the structure. There is also ambiguity about its proposed position.

- A desire for increased privacy from our neighbours doesn't seem to align with the position of the build as far as we understand the plans

Officer Response: *The proposals potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*

6. Conclusion

This application for the erection of a detached garage at 30 Knowl 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:** 2026/91303**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, LP21, LP22, LP24, LP30 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. The detached garage hereby approved shall be constructed in natural stone for the external walls to match the host dwelling and natural 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 Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of 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: 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
Proposed Garage	20150	P3	14/05/2026
Proposed Site Plan	00110	P1	14/05/2026
Climate Change Statement	-	-	14/05/2026

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 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. In this case, the design of the original scheme has been found acceptable. No further amendments or details were sought thereafter.

Report Dated: 02/07/2026