

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:	2026/62/91542/W
Site Address:	44, Longwood Road, Paddock, Huddersfield, HD3 4EZ
Description:	Lowering of kerbs and widening existing dropped kerbs and permeable tarmac to drive/front garden
Recommending Officer:	Faiza Bano

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: 11-Sep-2026

Officer Report – 2026/91542

Site Description

The application site relates to 44 Longwood Road, Paddock, Huddersfield HD3 4EZ, a residential property located within a predominantly residential area characterised by a mix of traditional dwellings set along Longwood Road.

The surrounding area is residential in character, with neighbouring properties fronting Longwood Road and benefiting from a variety of hardstanding and driveway arrangements. The site is not situated within a Conservation Area and no heritage, landscape or other statutory designations are known to directly affect the application site. The proposal relates solely to the front curtilage of the property and its access arrangements onto the public highway.

Description of Proposal

The Scheme

The applicant is seeking permission for the formation of a driveway and associated works.

History of Negotiations / Amendments Received

No amendments have been requested by Officers.

Relevant Planning History

It is noted that the adjacent dwelling has undertaken works to create a means of access, google images indicate this appears to have been at some point between 2019 and 2021. Resurfacing works have also been undertaken to the neighbouring property which it appears could potentially benefit from being permitted development by virtue of Class F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (As amended).

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter.

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 31/07/2026. No representations have been received.

Consultation Responses

KC Highways Development Management (informal) – Highways have raised no objections to the proposed development, subject to a condition requiring the approved parking area to be surfaced and drained in accordance with the Government and Environment Agency guidance on permeable surfacing of front gardens and thereafter retained, together with an informative advising that any alterations to the access within the adopted highway will require approval under a Section 184 Agreement of the Highways Act 1980 from the Council's Highways Asset Management Team.

Allocation and Policy

The site is unallocated within the Kirklees Local Plan (adopted 2019). The site is also located within a Bat Alert Area.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

LP1 Achieving Sustainable Development
LP2 Place Shaping
LP21 Highway and Access
LP22 Parking
LP24 Design
LP30 Biodiversity and Geodiversity

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 2026, 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.

Chapter3	Decision Making Policies
Chapter4	Achieving Sustainable Development
Chapter5	Meeting the challenge of climate change
Chapter14	Achieving well designed places
Chapter15	Promoting sustainable transport
Chapter19	Conserving and enhancing the natural environment

Supplementary Planning Documents / guidance

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

The Biodiversity Net Gain Technical Advice Note

Legislation

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

The Planning and Compulsory Purchase Act 2004.

The Conservation of Habitats and Species Regulations 2017

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

Assessment

1 – Principle of Development

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 chapter 4 of the National Planning Policy Framework. The objectives of the policies in chapter 4 are to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements. For proposals within settlements policy S4 sets out development should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Policy LP2 of the KLP sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

The dimensions of sustainable development will be considered throughout the proposal.

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 is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

These issues along with other policy considerations will be addressed below.

Considering the above policy, the principle of the development is considered to be acceptable.

2 – Impact on character and appearance of the area

Visual Amenity

Policy LP24 of Kirklees Local Plan seeks to ensure development is of a suitable design. Chapter 14 of the NPPF sets out the objective to promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes.

Policy DP3(1) of the NPPF details that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings.

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.

The application proposes the lowering and widening of the existing dropped kerb together with the formation of a permeable tarmac parking area within the front garden. The works are limited in scale and relate solely to alterations to the existing frontage of the property. The proposal would not result in any significant changes to the appearance of the dwelling itself and would retain the established building form and character of the host property.

The use of permeable tarmac is a common surfacing material for domestic driveways and, by virtue of its appearance and function, is considered appropriate within the residential street scene. Whilst the proposal would result in the loss of a portion of the existing front garden, similar hardstanding and vehicular access arrangements are evident within the surrounding area, meaning the development would appear consistent with the prevailing character of the locality.

In this case weight is afforded the benefits of off street parking, potential for use of a electric vehicle charging point within the curtilage and fact the surfacing / removal of the wall could likely be undertaken in any case through utilising pd rights. The creation of the access is therefore considered acceptable in this case.

Given the modest nature of the works, the proposal would not appear prominent or incongruous within the street scene and would not harm the character or visual amenity of the area. It is therefore considered that the development accords with Section 12 of the NPPF, Policies LP1, LP2 and LP24 of the Kirklees Local Plan, and the relevant design principles contained within the House Extensions & Alterations SPD.

3. Impact on Residential Amenity

Sections B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

Chapter 17 of the NPPF seeks to ensure emissions do not arise due to development.

Key Design Principle 3 states that extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours

Key design principle 5 relates to overshadowing/loss of light and details that extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.

Key design principle 6 seeks to ensure developments preventing overbearing impact and that extensions and alterations should not unduly reduce the outlook from a neighbouring property.

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

The application proposes the lowering and widening of the existing dropped kerb together with the formation of a permeable tarmac parking area within the front garden. No extensions, buildings or other structures are proposed as part of the development. As such, the proposal would not introduce any additional built form, nor would it affect existing separation distances between neighbouring properties.

Given the nature of the works, the proposal would not give rise to overlooking, loss of privacy, overshadowing, loss of light or an overbearing impact upon neighbouring occupiers. Furthermore, whilst a proportion of the front garden would be hard surfaced, the proposal would not affect the principal private amenity space to the rear of the property and adequate outdoor amenity space would remain available for occupants of the dwelling.

Accordingly, it is considered that the development would preserve the residential amenities of neighbouring occupiers and future residents and would comply with Paragraph 135 of the NPPF, Policy LP24 of the Kirklees Local Plan and the relevant design principles of the House Extensions & Alterations SPD.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 15 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.

As there is currently no off-street parking at the application site, it is considered that the development will provide an improvement in this respect and is therefore acceptable as a result of taking parked vehicles away from the surrounding highways. The Highways Development Team raised no objection to the proposals.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

The Council's Highways Development Team has been consulted and has raised no objections to the proposal, subject to a condition requiring the parking area to be surfaced and drained in accordance with approved permeable surfacing guidance and an informative advising that works within the adopted highway will require a Section 184 Agreement under the Highways Act 1980. Having regard to the scale and nature of the proposal, it is considered that the development would not prejudice highway safety or the free flow of traffic and would provide an acceptable access arrangement.

In terms of waste and recycling provision, the proposal relates solely to the formation of a parking area and alterations to the existing access. No changes are proposed that would affect the property's existing arrangements for the storage and collection of refuse and recycling and it is therefore considered that the requirements of Key Design Principle 19 of the House Extensions & Alterations SPD would continue to be satisfied.

The proposal is accompanied by plans demonstrating permeable materials would be utilised. On the basis any approval is subject to condition the scheme is undertaken in accordance with the submitted plans the proposal is considered to meet the recommendations as set out by the Highways Team.

Overall, the proposal is considered to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Chapter 9 of the NPPF, the Kirklees Highway Design Guide and Key Design Principles 15 and 19 of the House Extensions & Alterations SPD.

5. 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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 5 of the National Planning Policy Framework.

6. Other Matters

Impact upon Ecology

Chapter 19 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat roosting area, the proposals are relatively modest, and in this case would not impact upon the existing roof space which has the potential for providing a roost for bats. Therefore, it is considered unlikely that the proposals would have a significant impact on the bat population.

An informative would be included 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. Subject to informative the proposal is considered to be acceptable in this regard.

7. Representations

No representations have been received.

8. 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, the

proposed development would constitute sustainable development and is therefore recommended for approval.

**Recommendation
PERMISSION**

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2026/91542

Officer Recommendation: Conditional Full Permission

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 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14 & 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

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Highways Asset Management Team at vehicle.crossing@kirklees.gov.uk with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 42 of The Conservation of Habitats and Species Regulations 2017. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Plan and Elevations	1		05/06/2026
Proposed Plan and Elevations	2		05/06/2026
Application Form	-	-	05/06/2026

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 preapplication 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. Clarification was sought regarding ownership certificates, with the applicant confirming Certificate B was completed accordingly.

02/09/2026

Report Dated: