

# **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:         | <b>2026/62/91569/W</b>                                                                                                        |
| Site Address:         | 32, Wentworth Street, Huddersfield, HD1 5PX                                                                                   |
| Description:          | Demolition of existing garage and outbuilding and erection of replacement garage and outbuilding (within a Conservation Area) |
| Recommending Officer: | Joshua Merriman                                                                                                               |

#### **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.**

Danielle Cooper

***AUTHORISED OFFICER***

**Date: 16-Sep-2026**

## **Officer Report – 2026/91569**

### **Site Description**

The application site refers to 32, Wentworth Street, Huddersfield, HD1 5PX, a two-storey detached property faced in natural stone, with a blue slate roof, and timber windows and doors. The application property lies in a relatively uniform street scene, surrounded by properties of a similar size, scale, character, appearance, and age. The site is surrounded by listed buildings and is located within the Greenhead Park/ New North Road Conservation Area.

Furthermore, the application property benefits from a hard-standing parking area and amenity space to the South, as well as a garage and outbuilding which is the primary subject of this application.

### **Description of Proposal**

#### *The Scheme*

The applicant is seeking permission for Demolition of existing garage and outbuilding and erection of replacement garage and outbuilding (within a Conservation Area).

#### *Supporting Information*

In addition to the submitted plans the following documents have been submitted to support the application:

- Design, Access & Heritage Statement
- Climate Change Statement

During the course of the assessment of the application, the following additional/amended plans/information was submitted for consideration:

07/08/2026 – Preliminary Roost Assessment.

08/09/2026 – Bat Survey.

### **History of Negotiations / Amendments Received**

Reports in the form of a preliminary roost assessment and bat survey were requested by KC Ecology and deemed acceptable upon submission.

### **Relevant Planning History**

There is no relevant planning history at the application site.

### **Representations**

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

The application has been publicised as affecting the setting of a listed building, affecting the setting of a conservation area, on the Council's website, by site notice and by press advertisement. The expiry date of the publicity period was the 16/07/2026. One representation was submitted and has been summarised below:

#### *Letters of Objection*

- The garage should be renovated rather than demolished. It is located in a Conservation Area and is a good example of its era.

### **Consultation Responses**

KC Conservation & Design (Informal) – No objections.

KC Ecology (Formal) – No objections. A lighting condition has been proposed, however, considering the existing lighting arrangements along Wentworth Street and in neighbouring properties, it is considered that requesting a lighting scheme for a development of this scale would be disproportionate, and given the sites urban location would not significantly alter arrangements in the area given those existing.

### **Allocation and Policy**

The site is allocated in the Greenhead Park/New North Road Conservation Area within the Kirklees Local Plan (adopted 2019). The site is also located within a bat alert layer and in an area at high risk of ground movement due to previous coal mining activity.

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  
LP35 Historic Environment  
LP53 Contaminated and Unstable land

### *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.

Chapter4     Achieving Sustainable Development  
Chapter5     Meeting the challenge of climate change  
Chapter14    Achieving well designed places  
Chapter19    Conserving and enhancing the natural environment  
Chapter20    Conserving and enhancing the historic 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 Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990  
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

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

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

## **Assessment**

### **1 – Principle of Development**

Policy LP1 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.

National decision-making policy S3: Presumption in favour of sustainable development 1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means: a. Policy S4 in this Framework should be applied when considering development proposals within settlements; b. Outside settlements, policy S5 should be applied; and c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

The site is located within the Greenhead Park/New North Road Conservation Area on the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan 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 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.

As the site is located within the Greenhead Park/New North Road Conservation Area; therefore Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 needs to be considered, which requires Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area.

LP35 states that:

'Development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in

substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm’.

National decision making Policy: S4: Principle of development within settlements 1. Development proposals within settlements 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.

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 14 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 (including impact upon historic environment):**

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.

National policy DP3 of the NPPF requires development to respond positively to its context and contribute to the creation of well-designed places, having regard to matters including local character, built form, appearance and materials. Development which is not well designed should be refused when assessed against national and local design policies and guidance. Policy DP4 further requires design quality to be considered throughout the assessment and delivery of development proposals.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’*.

Key Design Principles 1, 2, and 9 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 recommendations of Paragraphs 5.29 and 5.30 of the House Extensions and Alterations SPD are considered relevant.

### *Historic Environment*

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. This is echoed within policy LP35 of the Kirklees Local Plan and Chapter 20 of the NPPF.

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

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

The objective of Chapter 20 of the NPPF is set out as being to conserve and enhance the historic environment. Heritage assets are an irreplaceable resource, and range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Policy HE4(2) of the NPPF sets out that any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification in accordance with the policies in this chapter.

Policy HE5(1) of the NPPF details that development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is

necessary to understand the potential effect of the proposal on their significance. HE2 details that the assessment will need to identify if the proposal will have a positive effect, no effect, result in harm and whether this would be less than substantial or substantial or whether the proposal would cause the total loss of the significance. HE5(4) confirms that decision-makers should be satisfied that assessments accurately reflect the effects on heritage assets caused by development proposals

Policy HE6 relates to proposals affecting designated heritage assets and sets out that substantial weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance. HE6 confirms that proposals which would have a positive effect on a designated heritage asset should be supported and that any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.

HE6(4) confirms where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.

The proposed outbuilding will be constructed using materials that either match or complement the existing property, reflecting the character, form and architectural detailing of the buildings on site. These materials will include natural stone, blue slate roof tiles, painted timber windows, and composite and aluminium doors.

The building is proposed within the footprint of the existing outbuilding/garage, which is to be demolished, and its siting is therefore considered acceptable. Although the replacement structure will be greater in overall height and width, its design, scale and appearance are considered to remain subordinate to the main dwelling and to represent a sympathetic addition to the street scene. Furthermore, the development would preserve the character and appearance of the conservation area. The inclusion of a garage door fronting Wentworth Street is also considered acceptable, as the existing building currently incorporates a garage door facing the street, maintaining the established relationship with the surrounding streetscape.

It is also noted the KC Conservation and design were informally consulted with and raised no objections.

Considering the above assessment, the proposed changes to the existing outbuilding are considered to be acceptable with regard to visual amenity of the street scape and the conservation area, complying with Kirklees Local Plan policies LP24 and LP35.

### **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.”*

Policies within Chapter 17 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers

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 4 sets out 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.

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 recommendations of Paragraph 5.3 of the House Extensions and Alterations SPD is considered relevant.

As the rear garden area on site is an adequate length, it is considered that an appropriately sized and useable area of private outdoor amenity space will be retained.

The side elevation of the proposed building will be located along the rear boundary of No. 57 New North Road. As the mass of the proposed building is pulled away from the boundary due to the hipped design of the roof, the overall mass on this boundary will be reduced in comparison to the existing building. As such there are no concerns in regard to potential overbearing or overshadowing impact.

The proposed outbuilding will be raised in height in comparison to the existing building, however due to its location next to No. 26 Wentworth Street side elevation and as the roof is hipped which takes the mass away from the shared boundary, it is not considered that the proposal will result in any adverse overbearing or overshadowing impact to No. 26.

The proposal is not considered to result in any loss of privacy of neighbouring properties.

The proposal is considered to comply with the relevant policy listed above and is acceptable regarding residential amenity.

#### **4. Impact on Highway Safety**

Policies LP21 and LP22 of the Kirklees Local Plan and 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.

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.

Although nothing specific is detailed within the submitted plans, it is considered that there is adequate space on site for waste storage.

The number of bedrooms on site will not increase, and the hard-standing parking area to the front of the dwelling will remain unchanged. It is also noted that the proposal will provide one car parking within the garage which is accepted.

It is therefore considered that in terms of access and highway safety/parking the proposed extension 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. Furthermore, it is considered that the proposal would also comply with Principle 19 of the adopted House Extensions & Alterations SPD.

#### **5. Climate Change**

Chapter 5 of the NPPF sets out policies relating to meeting the challenge of climate change. The objective of the policies in Chapter 5 are to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change. It does this by setting out policies to shape places in ways that contribute to radical reductions in greenhouse gas

emissions and adapt to the full range of current and potential impacts of climate change, by minimising vulnerability and improving resilience.

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.

## **6. Other Matters**

### *Impact upon Ecology*

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

A bat survey was submitted by the agent and has been reviewed by KC Ecology who deem the report reasonable and acceptable. The report confirms that no roosts were identified within the buildings. An informative will 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. It is not considered necessary to impose any further conditions subject to the inclusion of the informative to make the applicant aware of to stop works should a bat be discovered. A lighting condition was also recommended by KC Ecology however, considering the existing lighting arrangements along Wentworth Street and in neighbouring properties, it is considered that requesting a lighting scheme for a development of this scale would be disproportionate, and given the sites urban location would not significantly alter arrangements in the area given those existing.

## **7. Representations**

- The garage should be renovated rather than demolished. It is located in a Conservation Area and is a good example of its era.

*Officer Comment: The replacement outbuilding is considered to appear sympathetic to the application site and surrounding street scene, maintaining a good example of design within the Greenhead Park/New North Road Conservation Area.*

## **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:** 2026/91569

**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).

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 & 35 of the Kirklees Local Plan, Principles 1, 2, & 9 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 4, 5, 14, 19 & 20 of the National Planning Policy Framework

**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:-

| <b>Plan Type</b>                                 | <b>Reference</b> | <b>Version</b> | <b>Date Received</b> |
|--------------------------------------------------|------------------|----------------|----------------------|
| Existing and Proposed Location Plan              | DL961 02         | -              | 10/06/2026           |
| Existing and Proposed Floor Plans and Elevations | DL961 01         | -              | 10/06/2026           |
| Application Forms                                | -                | -              | 10/06/2026           |
| Bat Survey                                       | -                | -              | 08/09/2026           |
| Preliminary Roost Assessment                     | -                | -              | 07/08/2026           |
| Design, Access & Heritage Statement              | -                | -              | 10/06/2026           |
| Climate Change Statement                         | -                | -              | 10/06/2026           |

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 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. Reports in the form of a preliminary roost assessment and bat survey were requested by KC Ecology and deemed acceptable upon submission.

**Report Dated:**

10/09/2026