

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:	2026/62/91714/E
Site Address:	adj, 7, Quarryfields, Mirfield, WF14 0NT
Description:	Erection of detached dwelling
Recommending Officer:	Elenya Jackson

DECISION – REFUSED

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

Kerri Simpson

AUTHORISED OFFICER

Date: 7th October 2026

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Officer Report

Reference No. 2026/91714

Site Address: adj, 7, Quarryfields, Mirfield, WF14 0NT

Proposal: Erection of detached dwelling

Site Description

The application site is currently a largely vacant parcel of land located between no.7 Quarry Fields and no 17 Quarry Fields with the remnants of domestic paraphernalia. The site was previously subdivided from no.7 by a large hedgerow which has been removed.

The site is accessed from the south which is currently enclosed by a stone wall and gate and site is located within a High Risk Coal Area as defined by the Mining Remediation Authority.

The site is located within a residential street scene where properties are not uniform in appearance; however, they follow a consistent build line along the northern side of Quarry Fields and reasonably consistent spacing.

Description of Proposal

The applicant is seeking planning permission for the erection of a two-storey detached property.

The property would have an overall width of approx. 14m, an overall depth of approx. 18.5m and an overall height of approx. 8.1m. Furthermore, off road parking is proposed to the south of the dwelling to provide three parking spaces and an area of private outdoor amenity space is also proposed north of the application site.

The proposed materials are indicated to be artificial stone, black roof tiles and black windows.

History of Negotiations/Amendments Received

No alterations requested, as significant amendments would be required to overcome the assessed matters.

Relevant Planning History

N/A

Representations

The application was publicised by site notice, which expired on 24th September 2026. As a result of the above publicity, one representation was received which raised the following concerns:

- Overbearing
- Overlooking
- Overdevelopment
- Impact on character of the area
- Drawing inaccuracies
- Coal mining legacy
- Inappropriate materials

Parish/Town Council Comments

N/A

Local Ward Members

Not Applicable.

Consultation Responses

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

KC Highways Development Management – No objection (informal).
The Mining Remediation Authority: material consideration however no objections subject to conditions.

KC Ecology: No objections subject to conditions

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 .

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 3** - Location of New Development
- **LP 11** - Housing Mix and Affordable Housing

- **LP 20** - Sustainable Travel
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 28** - Drainage
- **LP 30** - Biodiversity & Geodiversity
- **LP 33** - Trees
- **LP 51** - Protection and Improvement of Local Air Quality
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 53** - 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 August 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.

- **Chapter 3** - Decision-Making
- **Chapter 4** - Achieving Sustainable Development
- **Chapter 5** - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter 6** - Delivering a Sufficient Supply of Homes
- **Chapter 12** - Making Effective Use of Land
- **Chapter 14** - Achieving Well-Designed Places
- **Chapter 15** - Promoting Sustainable Transport
- **Chapter 19** - Conserving and Enhancing the Natural Environment

Other Guidance Documents:

- Kirklees Highways Design Guide (2019)
- Housebuilders Design Guide (2021)
- Nationally Described Space Standards

- National Design Guide
- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)

Assessment

1. Principle of Development

Housing Land Supply

The Council's latest published assessment of housing land supply identifies 4.18 years supply of deliverable housing sites. The Council is therefore unable to demonstrate a five-year supply of deliverable housing sites. The National Planning Policy Framework (2026) seeks to significantly boost the supply of homes and requires Local Planning Authorities to identify and maintain a sufficient supply of deliverable housing sites. The Council's current housing land supply shortfall is therefore a material consideration which weighs in favour of the delivery of additional housing.

Policy LP3 of the Kirklees Local Plan is also of relevance insofar as it requires development to deliver homes in a sustainable way.

The proposal seeks planning permission for the erection of an additional dwelling within the built up area of Mirfield, small developments such as this can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly.

It is necessary to consider planning applications for housing development in the context of NPPF policies S3 – S5 of Chapter 4. The objective 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.

In terms of design, Policy LP24 of the Kirklees Local Plan is relevant, in conjunction with Chapter 14 of the National Planning Policy Framework. Policy LP24, together with the Housebuilders Design Guide SPD, suggests that proposals should promote good design by ensuring inter alia that the form, scale, layout, and details of all development respects and enhances the character of the townscape, heritage assets and landscape. Furthermore, it requires that proposals protect the amenity of future and neighbouring occupiers and promote highway safety and sustainability.

It is therefore considered that the principle of development is considered acceptable; however, further assessment is required 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.

2. Impact on Visual Amenity

The NPPF offers guidance relating to design in Chapter 14 (achieving well designed places) and Policy DP3 states *“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; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3...”*

Kirklees Local Plan Policies LP1, LP2 and LP24 all seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity. Policy LP24 states that proposals should promote good design by ensuring: *“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”*

Also relevant to this is the Kirklees Housebuilders Design Guide SPD 2021, which aims to ensure future housing development is of high-quality design. Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: *“New residential development proposals will be expected to respect and enhance the local character of the area by:*

- *Taking cues from the character of the built and natural environment within the locality.*
- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*
- *Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.”*

Further to this, Principle 13 of the Housebuilders Design Guide states that applicants should consider the use of locally prevalent materials and finishing of buildings to reflect the character of the area, whilst Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties. Principle 15 states that the design of the roofline should relate well to site context.

The proposed dwelling would be two storeys in height with accommodation shown in the roof space and would be of a modern/contemporary design.

The proposed materials are demonstrated to be artificial stone; it is considered that a natural stone would be preferential to integrate with the neighbouring dwellings; however, as the site is not a conservation area and dwellings are not entirely uniform, it is considered that if permission is granted, the scheme would be subject to a condition requiring all materials to be submitted for agreement and available on site for inspection, an appropriate material palette could be secured on site.

As previously discussed, the street scene follows a reasonably consistent build line, the proposal would be 1.5m forward of no.7 Quarry Fields and 40cm forward of the main dwelling at no.17. It is considered that on balance the proposal would largely accord with the build lines of the street. In terms of footprint and massing, the proposed dwelling would appear overly large within its plot. The built form would extend across the majority of the available plot width with only limited separation to the side boundaries and would leave circa 8m of garden to the rear. It is acknowledged that the surrounding area is not uniform in character and that some spacing would remain between the proposed dwelling and neighbouring properties. However, other dwellings within the street scene are more comfortably accommodated within their plots, with a clearer sense of space around the built form.

The scale of the footprint is compounded by the two-storey height and substantial roof form. Although the elevations incorporate projecting and recessed elements intended to provide articulation, these would not sufficiently reduce the overall perceived mass of the building. In particular, the broad principal elevation, prominent outer gables and central entrance feature would combine to give the dwelling a wide, bulky and visually dominant appearance within what is a relatively constrained plot.

The proposal would therefore read less as a dwelling comfortably accommodated within its site and more as a building whose dimensions maximise the available developable footprint. The limited visual relief to the sides would further accentuate its width and mass when viewed from Quarryfields. While the proposal would represent a contemporary addition and would retain separation from neighbouring development, these factors would not overcome the cramped relationship between the scale of the building and the plot within which it could sit.

Consequently, the combination of the dwelling's substantial footprint, broad two-storey frontage and roof form would result in an overly dominant and cramped form of development which would fail to respond appropriately to the prevailing character and grain of the surrounding street scene. Therefore, the proposed dwelling would have an unacceptable impact within the existing street scene and against the neighbouring properties in the context of the visual impact.

It is therefore considered that the proposal would not cause detrimental harm with regard to visual amenity and would accord with the aims of Policy LP24 of the Kirklees Local Plan, Principles 2, 5, 12, 13, 14, and 15 of the

Housebuilders Design Guide SPD, and the aims of Chapter 14 of the National Planning Policy Framework.

3. Impact on Residential Amenity of Neighbouring Residents

Sections B and C of Policy LP24 state that alterations to existing buildings should: “...*maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.*”

Further to this, Chapter 17 of the NPPF seeks to ensure an acceptable impact of development proposals in relation to residential amenity.

Policy P3(2)(b) seeks to ensure developments do not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers.

Principle 6 of the Kirklees Housebuilders Design Guide SPD states that: “*Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.*”

The Housebuilders Design Guide SPD also provides advised separation distances for residential properties:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- For a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

17 Quarry Fields: adjoins the application site to the east and would be located 4.7m away from the proposed development.

Overlooking: The proposal would feature side facing windows however these are for non-habitable rooms and would therefore be able to be conditioned to be obscured and fixed shut.

Overshadowing/loss of light/overbearing: The development would extend approximately 5m beyond the rear elevation of no.17 and would have a maximum height of 8.1m. It is considered that due to the scale bulk and mass of the proposal in close proximity to a shared boundary with no.17, the proposal would result in an overbearing and overshadowing relationship to the immediate amenity space at the rear of no.17 which would be detrimental to the living conditions of the occupiers of this dwelling.

7 Quarry Fields: adjoins the application site to the west.

Overlooking: The proposal would feature side facing windows however these are for non-habitable rooms and would therefore be able to be conditioned to be obscured and fixed shut.

Overshadowing/loss of light/overbearing: The proposal would be located 8m away from the side of no.7 and located to the east. As the driveway of no.7 is located between the dwellings and the proposal would be orientated to the east, there would be no significant issues raised regarding overshadowing/loss of light/overbearing.

4. Impact on Residential Amenity of Future Occupiers

Policy P3(2)(d) of the NPPF, contained within Chapter 17, sets out that proposals should 'mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason'. This is echoed within Kirklees Local Plan Policy LP24 which states that: -

'Proposals should provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary'.

Policy P3(1) of the NPPF, contained within Chapter 17, sets out that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area. – New uses near noisy stuff

Principle 17 of the Council's adopted House Builders Design Guide Supplementary Planning Document (SPD) requires development to ensure an appropriately sized and useable area of private outdoor space is retained. Consideration must also be given to the amenity of future residents of the proposed dwelling. Taking into account Principle 16 of the Kirklees Housebuilders Design Guide SPD which sets out that:

'All new homes should aim to be accessible and adaptable homes to meet the changing needs of occupants over time in accordance with Building Regulations' and that 'All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of

amenity and living environments for future occupiers in accordance with Policy LP24'.

National described space standards require the following gross internal floor area for a two storey dwelling:

- 4 Bedroom, 5-person dwelling set over 3 storeys - 103 square metres
- 4 Bedroom, 6-person dwelling set over 3 storeys – 112 square metres
- 4 Bedroom, 7-person dwelling set over 3 storeys - 121 square metres
- 4 Bedroom, 8-person dwelling set over 3 storeys - 130 square metres

The proposed floor plans show that the dwelling would have 4 bedrooms and is therefore required to have a minimum internal floor space of 103m². The submitted plans confirm that the dwelling would exceed this exceptionally, it is considered that the proposal would adequately meet basic lifestyle needs and provide a high standard of amenity for future occupiers. It is also noted that all the habitable rooms on the ground and first floor would benefit from a sufficient amount of natural light and outlook.

The proposal would provide off-street parking and an area of private outdoor amenity space. For these reasons, it is considered that the proposal would provide an acceptable standard of living for future occupants and would accord with LP24(b) of the Kirklees Local Plan, Principles 6 and 16 of the Council's Housebuilders Design Guide SPD, and the National Planning Policy Framework.

It is therefore concluded that the proposal is acceptable in this regard.

5. 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, Policy TR6 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.

KC Highways Development Management have been informally consulted as part of the application. Their comments are that three parking spaces would be considered acceptable; however, detail of the boundary treatment would be required and visibility splays demonstrated to ensure that the development would not result in any altercations involve the highway.

Officers have not requested the visibility splays at this time as the proposal is unacceptable from a residential perspective.

The amount of car parking would be appropriate for the number of bedrooms shown in the plan would be in-line with the recommended spaces within the Kirklees Highway Design Guide SPD.

To further support sustainable travel, lowering of emissions, Policy LP20 and LP24, the installation of an electric vehicle charging point should be considered and this has been shown on the plans. The proposal does not raise significant issues for road safety or network functionality in accordance with policy LP21 with impact likely to be neutral in movement terms once completed. On this basis, KC Highways Development Management have raised no objection to the scheme.

Officers note that bin presentation points haven't been provided on the plan. Therefore, a condition is recommended relating to the submission of waste collection points to be agreed with the LPA.

In view of the above, subject to conditions, it is considered that a proposal which would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, Principles 12 and 19 in the Council's Housebuilders Design Guide SPD, guidance within the Council's Highways Design Guide SPD, and Chapter 15 of the National Planning Policy Framework.

6. Other Matters

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system, and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda. In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures and a note will be added to the decision notice regarding the addition of EV charging points, if permission is granted.

Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, therefore, should the application be approved, it is considered necessary for a footnote to be imposed restricting the times when noisy construction activities will be permitted.

Biodiversity Net Gain

The application form states that this development would be constructed as a self-build; it is noted that the application was validated by the authority on 12th of August when there has been updates to the legislation to remove self-build as an exemption from BNG. However, it appears that the development was submitted initially in June. Officers are proceeding on this basis.

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

It is considered the proposal would be in accordance with Policy LP30 and LP33 of the Kirklees Local Plan, Principle 9 of the Housebuilders Design Guide SPD and Chapter 19 of the NPPF.

Ecology

A Preliminary Ecological Appraisal has been provided with the application and reviewed by K Ecology Team with no objection and conditions recommended in the interests of biodiversity and ecology. If permission is granted, conditions relating to biodiversity enhancement and lighting strategies on site.

It is considered that subject to conditions the proposal would accord with LP30 of the Kirklees Local Plan.

Contaminated Land and coal mining legacy

The site of the proposed development would be located in an area at high risk of instability as a result of former coal mining legacy and as a result, the scheme has been supported by a coal mining risk assessment which has been reviewed by The Mining Remediation Authority. Conditions have been recommended to ensure the site is safe for occupation through a scheme of intrusive investigations along with any remediation and/or mitigation measures, in addition to the submission of a signed statement or declaration to confirm the site has been made safe and stable for the development. In addition, due to the site being in an area with a coal mining legacy, there is the potential for combustible materials on site. For the reason, full contaminated land conditions are required.

Subject to the imposition of conditions, it is considered that the proposal would reasonably satisfy the requirements of Policy LP53 of the Council's adopted Local Plan and of Chapter 17 of the National Planning Policy Framework in land contamination terms.

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

7. Representations

One representation received raising the following concerns:

- Overbearing

Officer response: Officers have assessed the residential impact of the development in section 3 of this report.

- Overlooking

Officer response: Officers have assessed the residential impact of the development in section 3 of this report.

- Overdevelopment

Officer response: Officers have assessed the visual impact of the development in section 2 of this report.

- Impact on character of the area

Officer response: Officers have assessed the residential impact of the development in section 3 of this report.

- Drawing inaccuracies

Officer response: It is considered that there has been sufficient information for officers to assess the development on site. If the proposal was to receive planning permission, the development would be required to be constructed in accordance with the approved plans.

- Coal mining legacy

Officer response: Officers have assessed the residential impact of the development in section 6 of this report.

- Inappropriate materials

Officer response: Officers have assessed the proposed materials in section 3 of this report. Conditions would be required to ensure that the proposed materials would integrate appropriately within the street scene.

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. As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered

that the development would not constitute sustainable development and is therefore recommended for refusal.

Recommendation: Refuse

Decision Authorisation - Delegated Powers

Application Number: 2026/91714

Officer Recommendation: refuse

Reasons

1. By reason of its substantial footprint, scale, bulk and massing, together with the limited separation to the side boundaries, the development would appear cramped and overly dominant within the plot. The development would fail to respond appropriately to the prevailing scale, spacing and grain of development within Quarryfields and would cause harm to the character and appearance of the street scene. The proposal would therefore be contrary to Policy LP24 of the Kirklees Local Plan, Principles 2, 5, 12, 13, 14, and 15 of the Housebuilders Design Guide SPD, and the aims of Chapter 14 of the National Planning Policy Framework.
2. By reason of its scale, bulk and rearward projection, the proposed dwelling would have an overbearing and overshadowing impact upon the rear garden and amenity space of No.17 Quarry fields, resulting in an unacceptable loss of residential amenity. The proposal would therefore be contrary to Policy LP24 of the Kirklees Local Plan, Principle 6 of the Housebuilders Design Guide SPD (2021) and Chapter 14 of the National Planning Policy Framework.

Plans and specifications schedule:

Plan Type	Reference	Revision	Date Received
Location plan	-	-	12/08/2026
Site Plan	047-P01	-	12/08/2026
Proposed Plans	047-P02	-	12/08/2026
Proposed elevations	047-P03	-	12/08/2026
Proposed street scene	047-P04	-	12/08/2026
Landscape Details	047-P05	-	12/08/2026
Preliminary Ecological Appraisal	-	-	12/08/2026
Coal Mining Risk Assessment Report	C6270/26/E/9713	-	12/08/2026
Design and Access Statement	-	-	12/08/2026
Climate change statement	-	-	12/08/2026

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. No alterations requested as a substantial re-design is required to overcome officer concerns.

