

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:	2026/62/91796/W
Site Address:	159, Deighton Road, Deighton, Huddersfield, HD2 1JT
Description:	Formation of vehicular access
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: 27-Aug-2026

Officer Report – 2026/91796

Site Description

The application site refers to 159, Deighton Road, Deighton, Huddersfield, HD1 1UF, a two-storey terraced property faced in natural stone, with a pitched tiled roof, and uPVC windows and doors. The application property lies within a uniform street scene, being surrounded by properties of a similar size, scale, character, appearance, and age. Furthermore, the dwelling benefits from amenity space to the front and rear.

Description of Proposal

The Scheme

The applicant is seeking permission for Formation of vehicular access.

The following documents were submitted during the application process:

03/08/2026 – Parking Plan

History of Negotiations / Amendments Received

No amendments have been requested by Officers. The submission of a representative parking plan was requested to ensure the applicant was only trying to achieve one space, given the driveway would not be large enough for two vehicles.

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 (July 2024).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 06/08/2026.

Consultation Responses

KC Highways Development Management (Informal) – No objections.

Allocation and Policy

The site is unallocated within the Kirklees Local Plan (adopted 2019). The site is also located within 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
- 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 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.

- Chapter2 Achieving sustainable development
- Chapter12 Achieving well-designed places
- Chapter14 Meeting the challenge of climate change, flooding and coastal change

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.

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

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Representations
6. Conclusion

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.

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.

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

Section 14 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

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 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 proposed works to the front of the dwelling include the removal of the existing stone wall and wooden fence acting as a boundary wall between the front of the application site and the adjacent public footway. Despite the street scene being characterized by the use of stone boundary walls to the front of dwellings, it is noted that other driveways have been formed in a similar manner to that proposed, and have done so without significantly impacting the street scene.

It should also be noted that the front of the application property is characterized by broken panels of wooden fence, and patchy stone walls which are not whole in their construction, therefore, it could be argued the properties frontage is currently detrimental to the overall street scene and its visual appearance. Considering this, maintaining a hard-standing frontage without the existing visually detrimental elements is considered to be appropriate, and would not significantly impact the visual amenity of the application site and surrounding area.

As a result, the proposal is considered to be acceptable with regard to visual amenity and relevant policies aforementioned.

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.”

Further to this, Chapter 12 L2(d)ii of the National Planning Policy Framework states that planning decisions should ensure that developments have acceptable living standards.

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.

Given the openness of the proposed development, it is considered that there will be no significant impact on overshadowing, loss of light, or overbearing onto neighbouring properties. Moreover, the footfall at the front portion of the application site will not increase significantly to impact on the privacy of neighbouring occupants. Furthermore, all amenity space to the rear will remain, which is considered to be an appropriate amount of private outdoor space.

It is therefore considered that in terms of residential amenity, the proposed development would have an acceptable impact and comply with all relevant policies.

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. Of note is paragraph 5.15 of the Highways Design Guide SPD which refers to the dimensions of parking spaces. This sets out that spaces should be 5.6 metres where they are to the front of a garage unless there is a retractable door and in that instance the space should be 5.0 metres. These dimensions are to prevent vehicles overhanging the footway and are relevant to this application.

It should firstly be noted that the hard-standing parking area proposed would not meet the dimensions necessary as per the Highways Design Guide SPD in all areas. The area of hard-standing closest to neighbouring properties No. 161-163 would meet the criteria set out, however, the driveway area neighbouring No. 157 would not be large enough for a vehicle to be kept.

Following an informal consultation with KC Highways Development Management, it was considered that the parking area would be suitable for one vehicle, and given this is an improvement on current off-street parking arrangements, which do not currently exist at the dwelling, the proposal would be supported as it removes vehicles from the highway.

It should be noted that the applicant has submitted a parking plan detailing that the driveway will only be occupied by one vehicle, removing any animosity around the usage of the hard-standing area and ensuring it is suitable in terms of dimensions.

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.

There are no specific details within the submitted plans for the storage or presentation of waste. Any bin storage to the front will further restrict the parking of vehicles.

Considering the above assessment, the proposal would have no significant impact upon highway safety and would be acceptable regarding parking provision.

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. Representations

No representations have been received.

7. Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered, the proposed development would constitute sustainable development and is therefore recommended for approval.

**Recommendation
PERMISSION**

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2026/91796

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 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 4, 5, 14, and 15 of the National Planning Policy Framework
2. Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or

superseded; and thereafter retained throughout the lifetime of the development.

Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principles 12 and 19 of the Councils adopted House Builders Design Guide, the Council's adopted Highways Design Guide and the policies within Chapter 15 of the National Planning Policy Framework.

NOTE: *The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required.*

You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the site access(es).

This process will involve entering into a Section 38, 184 or 278 agreement of the Highways Act 1980, or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.'

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	06/07/2026
Proposed Site/Block Layout	-	-	06/07/2026
Car Park Plan	-	-	03/08/2026
Application Forms	-	-	06/07/2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. No amendments were sought as it was considered that the proposal was acceptable as submitted, however, the case officers did seek a parking plan to ensure the hard-standing area was great enough in scale for the number of proposed spaces and this was the case.

Report Dated:

14/08/2026