

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:	2026/62/91814/E
Site Address:	114, Knowles Hill Road, Dewsbury, WF13 4QT
Description:	Erection of detached garage
Recommending Officer:	Ellen Gilbert

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 25-Aug-2026

THE SITE

The application site refers to 114 Knowles Hill Road, Dewsbury, WF13 4QT. The property comprises a substantial detached dwelling currently under construction. The building is approximately two storeys in height with a steeply pitched roof incorporating prominent front-facing gables. The dwelling is constructed using natural stone walling with a dark grey tiled roof and dark-framed fenestration throughout. The front elevation displays a strong symmetrical appearance, characterised by projecting side wings and a centrally positioned full-height glazed window extending into the front gable.

The style and design of the dwelling and surrounding amenity space have been built to custom requirements within this predominantly residential area, consisting of residential properties of mixed styles and ages. The site is located to the rear of several properties bordered by hedgerows and gardens and is accessed via a private drive, with a larger than usual amenity area around the perimeter of the dwelling.

THE PROPOSAL

The applicant is seeking planning permission for the relocation of the previously approved detached garage from the front of the property to the rear.

The garage would be constructed out of natural coursed stone to match that of the existing dwelling and an automated roller shutter doors. The proposed garage features a flat rooftop as opposed to the original hipped roof; however this appears to accommodate a sedum green roof system to feature vegetation. The measurements of the proposed garage are approximately 12 metres in width, 2 metres in height to the eaves and 4 metres total in height.

PLANNING HISTORY

Relevant planning history for this site is summarised as follows:-

- 2024/90857- Demolition of existing link extension and conservatory and erection of two storey extensions and first floor extension with associated alterations- approved

PUBLICITY & REPRESENTATIONS

The application has been publicised in accordance with Councils adopted Development Management Charter which incorporates the legislative publicity requirements of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

As such, this application has been publicised via site notice. The final publicity date expired on the 13th of August 2026 and no representations were received.

CONSULTATIONS

KC Highways DM - No Objection

KC Highways Structures- No Objection subject to an informative

KC Environmental Health- No Objection subject to conditions

The response of the above listed consultee is discussed in more depth under the 'Assessment' section of this report.

ALLOCATION & POLICIES

The site is unallocated in the adopted Kirklees Local Plan. The site falls within a Bat Alert zone and within an area marked as potentially contaminated land.

Local guidance and policy are provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application: -

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP53 Contaminated 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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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Chapter3	Decision Making Policies
Chapter4	Achieving Sustainable Development
Chapter5	Meeting the challenge of climate change
Chapter14	Achieving well designed places
Chapter15	Promoting sustainable transport
Chapter17	Pollution, public protection and security
Chapter 19	Conserving and enhancing the natural environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

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

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:

The site is without notation on the Kirklees Local Plan. Policy LP1 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 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of development on the application site is considered acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact on character and appearance of the area

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.

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. Principle 7 of the House Extensions and Alterations SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained. The SPD incorporates a comply or justify principle insofar as where a scheme does not comply with the recommendations of the SPD is there relevant justification present.

Section 5.6 of the House Extensions & Alterations SPD are also of relevance, stating that outbuildings (such as detached garages) can have an impact on the appearance of other buildings and should reflect the style, shape and architectural features of the original house. Paragraph 5.30 states that outbuildings should be subservient in footprint, be set back behind the original building line and preserve a reasonable private amenity space.

The dwelling and associated detached garage are situated within a spacious residential curtilage and benefit from significant separation distances and changes in land levels relative to surrounding area. As such, the relocation of the garage from the front of the dwelling to a position to the rear is considered to have minimal negative impacts on the visual amenity of the site. Furthermore, the removal of the garage from the front of the property would result in a more open frontage, enhancing the sense of space within the courtyard area and allowing for increased amenity space to the front of the property. The proposed location also retains a substantial area to the rear of the property as private amenity space. The proposed garage would remain clearly subordinate and subservient to the host dwelling in terms of its scale, massing and siting. It would also be positioned behind the principal building line of the dwelling, ensuring that it is largely screened from view when approaching the site from the access track and from the front of the property.

The materials proposed include the use of matching stone with the main dwelling and a sedum green roof system that, though different from the grey slate used on the main property, is in keeping with the modern architectural style of the main dwelling and the use of walling and hedges as boundary treatments. In addition, regarding the location of the proposed within the existing garden space, the use of green roofing is considered to acknowledge the soft landscaping of the area and softens the visual impact of the proposed development.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House

Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

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.

Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

There are properties to the north of the site (25, 27 and 42 Moorside End) at a higher level with no direct alignments with the proposed garage. The separation distance from the proposal is limited, however the existing land levels and existing boundary screening are considered to minimise the possibility of significant overbearing or overshadowing impact.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants. It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 17 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are 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.

An informal consultation was held with KC Highways to assess any highway impacts from the development and no objections were raised. The proposal provides off-street parking for up to two cars and given the size of the residential curtilage, there is ample off-street parking for additional vehicles at the front of the property, offering space for up to 4 vehicles. Bin storage for the dwelling would not be moved as part of the proposals. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions & Alterations SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed 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.

5 – Other matters:

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 alert area, the proposals are relatively modest, and it is considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, 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.

Section 4.5 of the Kirklees Extensions and Alterations SPD identifies green roofs as an opportunity to provide additional habitats. It also identifies vegetation, to be used and retained wherever possible, as also an ecologically beneficial design feature. In the case of the proposal, both a green roof top and the use of hedgerows atop of proposed retaining walls comply with the methods set out in the SPD.

Contaminated Land

With regard to land quality, policy P2 of Chapter 17 of the National Planning Policy Framework and policy LP53 of the Kirklees Local Plan seek to ensure land quality is maintained as part of new development are considered to be relevant.

The proposed development falls within an area identified as potentially contaminated land. No details relating to land quality have been submitted as part of the proposal. The application was reviewed by KC Environmental Health and it was noted that a contamination condition had been attached to the previous permission; however, no information was subsequently submitted to or received. Considering the site's history and the previous recommendation, Environmental Health considered it appropriate for a similar contamination condition to be imposed on this permission.

Conditions are recommended by the Land Quality Team requiring that if contamination is found at any time when carrying out the approved

development, the applicant must contact the LPA immediately and a risk assessment and investigation must take place.

Land Stability

Policy LP53 of the Kirklees Local Plan and Chapter 17 National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

KC Highways Structures officers were informed regarding the proposal. It was concluded that an informative would be sufficient in this instance given the scope of the proposal, that a retaining wall is already in place and the proposed development is located a substantial distance from the public highway. In addition, the proposal is situated on private land and accessed via a private road. Consequently, no further highways structures concerns were raised.

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 pre-dates 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.

The applicant has submitted an accompanying Climate Change Statement listing the proposed measures to be taken, to ensure a climate-conscious development. The applicant has listed the use of smart meters, low energy lighting and the use of local materials wherever possible. Therefore, the proposals within the Climate Change Statement are considered acceptable in terms of mitigation against climate change.

6 – Representations:

None 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 that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2026/91814

Officer Recommendation: Approve

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 ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework

2. The external walls of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of chapter 14 of the National Planning Policy Framework.

3. In the event that contamination is found at any time when carrying out the approved development, works must cease, and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with best current guidance and practice, and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following the completion of the measures identified within the approved remediation scheme, a verification report

must be prepared, submitted to, and approved in writing by the Local Planning Authority in accordance with the timescales set out within the approved remediation scheme.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy LP53 of the Kirklees Local Plan and guidance contained within Chapter 17 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 41 of the Conservation of Habitats and Species Regulations 2010. 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.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours- Mondays to Fridays
08.00 and 13.00hours- Saturdays
With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

NOTE: It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section for works near or abutting highway and any retaining structures. Contact Highways Structures Section on Tel No. 01484 221000 who can advise further on this matter.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations- Proposed	PL-02		30/06/2026

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations- As Approved	EX-02		30/06/2026
Block Plan	PL-01		30/06/2026
Location Plan	EX-01		30/06/2026
Climate Change Statement			30/06/2026

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 24.08.26