

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:	2026/62/91815/E
Site Address:	21, Falcon Road, Savile Town, Dewsbury, WF12 9NH
Description:	Conversion of part of existing ground floor accommodation to integral garage with formation of new vehicular access and ramp, including alterations to front and rear elevations and associated works
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.

Emma Thompson

AUTHORISED OFFICER

Date: 01-Sep-2026

THE SITE

The site relates to 21 Falcon Road, Savile Town, Dewsbury, a two-storey dwelling situated in a primarily residential area consisting of properties of varying designs, ages and sizes.

The dwelling is constructed in natural sandstone with a pitched concrete tiled roof and features a centrally positioned entrance porch with a pitched roof canopy and stone steps and balustrade. The principal elevation faces the public highway and incorporates a projecting gabled extension to the western side of the property, incorporating an integral garage with up and over door on the ground floor with direct access to the highway, consisting of a hardstanding driveway providing space for off-road parking. Fenestration is formed of dark brown uPVC framed windows of varying sizes arranged across both storeys and two rooflights.

The rear of the dwelling consists of a shared hardstanding amenity space, currently used by numbers 21 and 23 as additional parking space and bin storage. Boundary treatments to the rear of the site consist of natural stone walling surmounted by a timber fence.

The dwelling is set above street level and is enclosed to the front by a stone boundary wall with decorative metal railings and gates. A hard-surfaced front forecourt provides pedestrian access to the property. Number 23, adjacent to the proposed site, features a hardstanding easement, providing vehicular access to the rear of the property.

THE PROPOSAL

The applicant is seeking planning permission for the conversion of the existing ground floor living accommodation into an integral garage, with alterations to the front and rear elevations and associated internal and external works. The development would see the living accommodation on the eastern side of the dwelling converted into a garage, accessed via a ramp measuring approximately under 1 meter in height. The width of the garage door would measure approximately 2m in width and height and the proposed materials are insulated grey steel.

Additional alterations to the front of the property include the replacement of the pitched gable roof at the principal entrance to a flat roof, the removal of the balustrades and relocation of the steps from the sides of the entrance immediately to the front.

Alterations to the rear of the property are limited to the replacement of existing double doors by a garage door, leading to a rear hardstanding amenity space currently used as additional parking.

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

- Climate Change Statement

PLANNING HISTORY

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

- 99/62/92096/E2- Demolition of Existing Dwelling and Erection of New Dwelling with Integral Garage- Conditional Full Permission

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.

Final publicity date expired the 13th of August 2026 and no representations were received.

CONSULTATIONS

The below statutory consultations were requested for this application:

- KC Highways: No objections, subject to the provision of an informative.
- KC Environmental Health: No objections, subject to the imposition of conditions

ALLOCATION & POLICIES

The site is unallocated in the adopted Kirklees Local Plan and is situated within an area designated as a previous landfill site.

Local guidance and policy is 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
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- 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
- Chapter19 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”.

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.*

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.*

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.

In this case, the principle of altering the existing dwelling is 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 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.

The proposed conversion primarily involves internal alterations; however, it includes the removal of existing window, creation of a vehicle entrance and sloped access driveway. The design is considered in keeping with the character of the host property and the surrounding built environment. The scale, materials, and appearance of the proposed changes are sympathetic to the existing dwelling and do not result in harm to the visual amenity of the area. The proposal involves the partial removal of the existing garden wall, balustrades and stone steps from the elevated principal entrance to widen the access to the garage.

The integration of a garage would result in a lack of symmetrical fenestration to the front of the property and the removal of some soft landscaping along the border wall. However, the site is located within a highly urbanised area and many properties within this row have adopted a similar design, with hardstanding front amenity spaces common throughout the area and an easement located adjacent to the proposed garage space. On balance, while the removal of some soft landscaping is regrettable, the proposal would not result in significant harm to the character of the street scene and is therefore considered acceptable.

The removal of the balustrade and relocation of steps immediately to the front of the principal entrance is not considered materially different to the existing design. The streetscape features a mixture of front porches and entrances and is therefore considered to be appropriate and in keeping with the visual character of the area. In addition, the replacement of the pitched roof gable with a flat roof is also considered appropriate given the surrounding streetscape, which features a variety of roofing styles. Though a pitched design is more reflective of the existing roof-form of the dwelling, the size and scale of this amendment is not considered to carry significant weight against the visual harmony of the site overall.

As such, the proposal is considered to comply with Policy LP24 of the Kirklees Local Plan, Policies KLP1 and KLP2 of the House Extensions and Alterations SPD, and Chapter 14 of the National Planning Policy Framework, which collectively seek to ensure high-quality design and protect local character

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:

Policy LP24 of the Kirklees Local Plan and Chapters 12 and 17 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring 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.

The proposal is for the conversion of existing living space into an integral garage, which largely involves internal alterations and the creation of a garage door to the front and rear of the dwelling, alongside a sloped driveway. Given the nature of the works, there is no increase in the building's footprint or height, and therefore no significant impact on outlook, privacy, or overshadowing for neighbouring properties. The adjoining dwellings to either side will not be adversely affected.

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 12 & 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 15 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.

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. It should be noted that although nothing specific is detailed on the submitted plans, the site will retain adequate space for waste storage.

KC Highways Development Management were consulted on the proposed development and raised no objection to the proposal subject to an informative. It was advised that any works affecting the highway, including alterations to the vehicular access such as a dropped curb, may require approval under Section 184 of the Highways Act 1980 and should contact the Highway Authority directly. An informative is recommended to this effect.

It is therefore considered that in terms of access and 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 15 of the National Planning Policy Framework.

5 – Other matters:

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 property is located within an area previously used for landfill and is close to a potential source of contaminated land. No details relating to land quality have been submitted as part of the proposal. However, given the limited scale of the domestic development and the scale of existing residential development, it is considered to be appropriate to include a condition regarding the reporting of unexpected contamination to comply with LP53 of the KLP.

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 details as being 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. 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.

The applicant has provided an accompanying Climate Change Statement listing a series of mitigation measures to be taken. These include the reuse of building materials wherever possible, and the maintenance of existing energy efficient and drainage measures currently found at the dwelling. Given the nature of the proposal, this is considered to be 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: 2026/91815

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. Notwithstanding the plans submitted the external walls and roofing materials of the development hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 14 of the National Planning Policy Framework.
2. 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 and to accord with Policy LP53 of the Kirklees Local Plan and 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 and Site Plan			30/06/2026
Existing and Proposed Drawing			30/06/2026
Climate Change Statement			30/06/2026
Existing and Proposed Drawing			25/08/2026

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 Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 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: 26/08/2026

Coal – low