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:	**2026/62/91862/E**
Site Address:	23, School Hill, Kirkburton, Huddersfield, HD8 0SG
Description:	Alterations to one dwelling to create two dwellings (within a Conservation Area)
Recommending Officer:	Nicole Helliwell

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.

John Holmes

AUTHORISED OFFICER

Date: 7th October 2026

Officer Report

Reference No. 2026/62/91862/E

Site Address: 23, School Hill, Kirkburton, Huddersfield, HD8 0SG

Proposal: Alterations to one dwelling to create two dwellings (within a Conservation Area).

Site Description

The application site relates to 23 School Hill, a two-storey semi-detached property located in Kirkburton, Huddersfield. The site is within a predominately residential area. The surrounding dwellings are mainly of stone construction and are highly varied in age, size and style. The site is not near any listed buildings or Public Rights of Way (PROW). However, the site is located within the Kirkburton Conservation Area.

Description of Proposal

The applicant is seeking planning permission for alterations to one dwelling to create two dwellings. The alterations proposed have been summarised below:

- Installation of opening to the south-eastern elevation of the dwellings
- Alteration to fenestration within the north-western elevation of the dwellings
- Installation of steps to the north-western elevation (projection approx. 1.9m, overall height approx. 1.45m and overall height approx. 2.45m including the balustrade)

History of Negotiations/Amendments Received

No amendments were sought or received during the course of the application.

Relevant Planning History

- **2013/93029:** Works to Tree(s) within a Conservation Area. Planning application details | Kirklees Council – Granted

Representations

The application was publicised by site notice and press advertisement, which expired on 11th September 2026. As a result of the above publicity, five representations have been received. The comments made have been summarised below:

General Comments (2 Representation)

- I have no objection to the conversion of the cottages but my concerns are about the parking. The conversion could potentially add four cars into the mix.

- There are current parking issues on School Hill due to school staff and patrons of the Carlton Club. Some nights residents can't park anywhere near their houses due to this.
- Please could a consideration be made to maybe introducing permit parking to ease the ongoing parking issues.
- Whilst the plans are to convert back to the original two dwellings it is with the intent of two bedrooms each. There is the possibility therefore of the houses having more than one car, which indeed most families do nowadays. When they were originally built this was not the expectation. There is room for one car only outside each property. This raises the issue of parking as School Hill already has quite a problem with this, with current residents often unable to park outside their homes. This is compounded by the increase in size of the local school and the Carlton Club. We feel this should be considered and the possible introduction of permit parking.
- With regards to the Consultation Response we have read regarding the bats, we can confirm that the bats are very evident around the back of the residences of 23 and 25 School Hill and may possibly be in the lofts.

<u>Objection (3 Representation)</u>

- We have ongoing issues with parking on the road. Dividing this property into two dwelling will add further pressures.
- There is a limited space to parking outside the house. One of the property will have limited living and sleeping space. The street becomes very busy in term time as it has an infant school.
- The cars mount the pavement that the children walk on which puts the children at high risk.
- Planning permission has been given for a further 150 new homes in the village. The property would benefit in been developed into a family home which it was for decades.
- While I appreciate the need for housing, this plan raises significant concerns that cannot be overlooked. First and foremost, the area already suffers from a severe lack of adequate parking. The proposed development does not address this issue and would only exacerbate an already challenging situation.
- The Carlton Club members frequently occupy available parking spaces, and many vehicles are parked on road pavements, creating congestion and safety hazards.
- As a homeowner in the area, I am often left with no space to park my car near my own property, and this proposal would only make matters worse.
- Additionally, the increased density from two additional dwellings would inevitably lead to heightened noise levels in the area. This would disrupt the peace and tranquillity that residents currently enjoy and negatively impact our quality of life.

- I urge you to reconsider this proposal and take into account the real and pressing concerns of the local residents. It is essential that any future development prioritizes adequate parking provision and minimizes disruption to the community.

Parish/Town Council Comments
Kirkburton Parish Council – Confirms they have no comment to make

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 Ecology – No objection
KC Highways Development Management - No objection

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 within the Kirkburton Conservation Area within the Kirklees Local Plan. The most relevant policies for consideration in this case are:

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 35** - Historic Environment
- **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
- **Chapter 6** - Delivering a Sufficient Supply of Homes
- **Chapter 14** - Achieving Well-Designed Places
- **Chapter 15** - Promoting Sustainable Transport
- **Chapter 19** - Conserving and Enhancing the Natural Environment
- **Chapter 20** - Conserving and Enhancing the Historic 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)

Legislation

The Town & Country Planning Act 1990 (as amended).
The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
The Planning and Compulsory Purchase Act 2004.
The Conservation of Habitats and Species Regulations 2017

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

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

Assessment

1. Principle of Development

Housing Land Supply / Density

Policy LP1 of the Kirklees Local Plan states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in Chapter 4 of the National Planning Policy Framework. Policy LP2 sets out that, in order to protect and enhance the character of places, all development proposals should seek to build on the opportunities and help address the challenges identified in the Local Plan.

Paragraph 1 of Policy S3 of the National Planning Policy Framework (NPPF) advises that "*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."*

In this case the site wis within a settlement whereby 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 the case of applications for residential development such as this, the NPPF adds that policies will normally be considered 'out of date' if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing land.

The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. National planning policy requires local planning authorities to demonstrate five years supply of deliverable housing sites against their housing requirement.

The 2025 update of the five-year housing land supply position for Kirklees shows 4.18 years supply of housing land, and the 2023 Housing Delivery Test (HDT) measurement which was published on 12/12/2024 demonstrated that

housing delivery for Kirklees for the past three years (April 2020-March 2023) has fallen below the 75% pass threshold.

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF Paragraph 1 of Policy S3 which triggers a presumption in favour of sustainable development.

The Council's inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officers assessment.

The proposal seeks planning permission for alterations to one dwelling to create two dwellings within Kirkburton, Huddersfield and would assist in meeting the housing needs of the Council. This would be 'in line' with the aims of Chapter 6 of the NPPF, which states that small developments such as this can make an important contribution to meeting the housing requirement of an area and are often builtout relatively quickly.

Policy LP7 of the Kirklees Local Plan states that should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value and a net density of at least 35 dwellings per hectare should be provided. Principle 4 of the Housebuilders Design Guide seeks to ensure a density of 35 dwellings per hectare or more is achieved. The proposal would see an increased density of the site, which is considered to be in accordance with these policies.

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.

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.

2. Impact on Visual Amenity and Historic Environment

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.

Policy LP11 sets out that all proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities.

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'.*

Principle 5 of the Housebuilders Design Guide states, amongst other things, that buildings should be aligned and set-back to form a coherent building line and designed to front on to the street. To avoid dominating the street, principle 12 states parking to the front will need creative design solutions to be incorporated. Consideration of the use of locally prevalent materials is required by principle 13. The design of windows and doors to relate well to the street frontage and neighbouring properties is required by principle 14. Principle 15 sets out that the design of the roofline should relate well to the site context, including topography, views, heights of buildings and the roof types.

The NPPF offers guidance relating to design in Chapter 14 (achieving well designed places) whereby Paragraph 1 of NPPF 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."*

Paragraph 1 of Policy DP3 of the NPPF sets out that 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. Furthermore, Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

The applicant is seeking planning permission for minor external alterations to one dwelling to form two dwellings. The submitted plans confirm that a new opening would be installed to the south-eastern elevation, alterations would be made to the fenestration within the north-western elevation and steps would be installed to the north-western elevation to facilitate access to the private outdoor amenity spaces. Given that the alterations proposed would be appropriately designed and would be in keeping with the style of the original build, it is considered that the proposed alterations would respect the visual amenity of the host building and the surrounding area.

A condition requiring the use of materials to match those of the existing dwelling and that all railings are of a matt black colour finish is recommended to ensure the alterations sympathetically integrate with the existing building.

It is therefore considered that, subject to condition, 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. Furthermore, the proposal would not cause any detrimental harm to the significance of the Kirkburton Conservation Area and would comply with Policy LP35 of the Kirklees Local Plan, Chapter 20 the NPPF and the requirements of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

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."*

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.

Due to the location and nature of the alterations proposed, officers do not consider the proposal to cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of nearby neighbouring occupants. Therefore, it is considered that there would be no undue harm with regard to residential amenity.

Having considered the above factors, the development proposed would have an acceptable impact upon the residential amenity of the neighbouring occupants and would comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, KDP 6 & 16 of the Housebuilders Design Guide SPD and the National Planning Policy Framework.

4. Impact on Residential Amenity of Future Occupiers

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:

- 2 Bedroom, 3-person dwelling set over 2 storeys - 70 square metres
- 2 Bedroom, 4-person dwelling set over 2 storeys - 79 square metres

The proposed floor plans show that the dwellings would have two bed spaces and are therefore required to have a minimum internal floor space of 70m^2. However, the submitted plans confirm that both dwellings would have an internal floor space of approx. 50.5m^2 and would not meet the nationally

described space standards. However, in this instance, it is considered to be difficult to apply the space standards strictly, as the original development was constructed as two individual properties and prior to conversion, these were considered to provide adequate accommodation. As such, material weight is afforded to the previous use as residential and, on balance, the proposed scheme is considered acceptable in this regard in light of the historical development of the site and fact the dwellings are well served by openings.

Furthermore, each of the habitable rooms would benefit from a sufficient amount of natural light and private outdoor amenity spaces are also proposed within the application site. Therefore, on balance, it is considered that given the circumstances which are applicable to this scheme, with the proposal being to bring a previous dwelling which has been amalgamated into one, back into use as a separate dwelling, the proposal would provide an satisfactory standard of living for future occupants in this context. The proposal is therefore concluded to be such that, whilst having regard to policy 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, refusal on the basis of the floorspace provided by the dwellings could not be substantiated in this case and there are factors present which constitute material circumstances which are considered to be such that the development is considered 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, Paragraph 4 of TR6 of the NPPF states that development proposals should be refused if they would have a severe adverse impact on the transport network or an unacceptable impact on highway safety. The Council's adopted Highway Design Guide and Principles 12 and 19 of the Housebuilders design guide which seek to ensure acceptable levels of off street parking, adequate waste storage facilities are provided, are also considered to be of relevance.

This application seeks approval for alterations to one dwelling to create two dwellings at 23 School Hill in Kirkburton, Huddersfield. As such, KC Highways Development Management have been formally consulted as part of the application.

They confirm they consider the proposal to convert a three bedroomed dwelling into two two-bedroomed is acceptable in highway terms. They set out that the proposal site is within a reasonable walkable distance of 400m of bus stops with a reasonable frequency of bus services. Other local facilities and services are further away which may be reliant on the private motorised

vehicles to reach. There is insufficient space to provide cycle parking to support Kirklees Plan Policy LP20, Active Travel objectives and mode choice. Similarly, it would be difficult to install an electric vehicle charging point to each dwelling to further support sustainable travel and lower emissions.

Access is to be retained from School Hill where there is a short path in advance of the existing and proposed entrance door. The site would be reliant upon on-street parking, potentially doubling the amount of car parking spaces, with two per unit rather than two spaces for a three bedroomed house albeit there is flexibility to meet Policy LP22. Nonetheless, the Applicant should note that the available on-street space is limited and on a first come first served basis without guarantee of parking outside the property.

Additional bin storage would need to occur on the path restricting its width, but this is similar to current arrangements to enable kerbside collection. Whilst there is a potential for additional on-street parking and bin storage, these are concluded as unlikely to give rise to severe adverse impacts for capacity, congestion and cumulative impacts on the transport network, or an unacceptable impact on highway safety by the Highways Team. They conclude that the proposal would be acceptable having regard to policy LP21 whilst noting and taking account of the constraints and a street layout that does not reflect modern standards. Accordingly, no objection is raised by the Highways Team.

In view of the above, it is considered that the proposal 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.

A climate change statement has been submitted which includes a range of measures including use of energy efficient lighting. The proposal would see the existing building being retained as residential use and it is considered it would be unreasonable of the LPA to insist upon further measures to be incorporated. Any grant of permission would require the scheme to be undertaken in accordance with the submitted details including the climate change statement.

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 with any future application.

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.

Ecology / Biodiversity Net Gain

Policies within chapter 19 of the National Planning Policy Framework are relevant and seek to influence the design and location of new development to help drive nature's recovery and contribute to wider environmental outcomes, safeguarding our most important habitats, species and landscapes and recognising the centrality of natural capital to delivering sustainable growth.

The Conservation of Habitats and Species Regulations 2017 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.

Principle 7 of the Housebuilders Design Guide Supplementary Planning Document is also of relevance. Which seeks to ensure existing features such as trees, habitats and landscape features are retained. Principle 9 requires that net gains in biodiversity are provided.

The application form states that the development, is subject to the de minimis exemption and would be exempt from providing Biodiversity Net Gain. This is accepted by the LPA.

The Council's Ecologist has been consulted and notes that no ecological information has been submitted with the application. They go on to state that as the development is contained within an existing residential building and is

not proposing any external changes to the roof there is a very low likelihood of protected and priority species being present. They recommend inclusion of an informative note drawing the requirements of the law to the applicants attention, which is recommended to be included.

Given the nature of the proposal it is considered it would have a limited impact upon ecological receptors / protected species. Therefore, it is considered the proposal would be in accordance with Policy LP30 of the Kirklees Local Plan, Principle 9 of the Housebuilders Design Guide SPD and Chapter 19 of the NPPF.

Coal Mining Legacy

The application site falls within the defined Development High Risk Area. However, the proposal would not require any significant groundworks or earthworks and therefore, officers does not consider that a Coal Mining Risk Assessment is required to support the proposal in this particular case.

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

7. Representations

Five representations were received during the course of the application. The comments made have been summarised and addressed below:

General Comments (2 Representation)

- I have no objection to the conversion of the cottages but my concerns are about the parking. The conversion could potentially add four cars into the mix.
- There are current parking issues on School Hill due to school staff and patrons of the Carlton Club. Some nights residents can't park anywhere near their houses due to this.
- Please could a consideration be made to maybe introducing permit parking to ease the ongoing parking issues.
- Whilst the plans are to convert back to the original two dwellings it is with the intent of two bedrooms each. There is the possibility therefore of the houses having more than one car, which indeed most families do nowadays. When they were originally built this was not the expectation. There is room for one car only outside each property. This raises the issue of parking as School Hill already has quite a problem with this, with current residents often unable to park outside their homes. This is compounded by the increase in size of the local school and the Carlton Club. We feel this should be considered and the possible introduction of permit parking.

- With regards to the Consultation Response we have read regarding the bats, we can confirm that the bats are very evident around the back of the residences of 23 and 25 School Hill and may possibly be in the lofts.

Officer Response: *The proposals potential impact on the highway network has been assessed within the 'Highway Safety' section of the report. Parking as a result of neighbouring uses is a matter which can be afforded limited / minimal weight in the consideration of this application. It is considered that a requirement for a traffic regulation order for permit parking would be an unreasonable requirement in relation to this application given the scale / nature of the proposal. There remains separate legislation which can consider introduction of permit parking should it be considered a necessary requirement as a result of neighbouring uses.*

The impact of the proposals upon bats has been considered, and it is concluded that subject to inclusion of an informative note drawing the attention of the applicant to the requirements of the law should such a protected species be encountered, the proposal would be acceptable in this regard.

<u>Objection (3 Representation)</u>

- We have ongoing issues with parking on the road. Dividing this property into two dwelling will add further pressures.
- There is a limited space to parking outside the house. One of the property will have limited living and sleeping space. The street becomes very busy in term time as it has an infant school.
- The cars mount the pavement that the children walk on which puts the children at high risk.
- Planning permission has been given for a further 150 new homes in the village. The property would benefit in been developed into a family home which it was for decades.
- While I appreciate the need for housing, this plan raises significant concerns that cannot be overlooked. First and foremost, the area already suffers from a severe lack of adequate parking. The proposed development does not address this issue and would only exacerbate an already challenging situation.
- The Carlton Club members frequently occupy available parking spaces, and many vehicles are parked on road pavements, creating congestion and safety hazards.
- As a homeowner in the area, I am often left with no space to park my car near my own property, and this proposal would only make matters worse.
- Additionally, the increased density from two additional dwellings would inevitably lead to heightened noise levels in the area. This would disrupt

the peace and tranquillity that residents currently enjoy and negatively impact our quality of life.

- I urge you to reconsider this proposal and take into account the real and pressing concerns of the local residents. It is essential that any future development prioritizes adequate parking provision and minimizes disruption to the community.

Officer Response: *The proposals potential impact on the highway network has been assessed within the 'Highway Safety' section of the report. Noise arising from the use of the site for residential use is not considered to be a reason for refusal that could be reasonably substantiated by the LPA given the proposed use is that as the site is currently used for, and separate controls are in place were future occupiers to use the dwelling(s) in a manner which led to a noise nuisance.*

8. Conclusion

This application for alterations to one dwelling to create two dwellings at 23 School Hill has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered to be acceptable.

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: 2026/91862
Officer Recommendation: Approve
Conditions and Reasons

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.

2. 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 Policies LP1, LP2, LP3, LP11, LP20, LP21, LP22, LP24, LP28, LP30, LP35, LP51, LP52 and LP53 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The materials of construction used as part of all external works and alterations of the development hereby approved shall in all respects match those of the existing building and site. The railings to the steps and raised accesses to the rear hereby approved shall be of a matt black colour finish. The materials of construction and colour finish approved by this condition shall be completed prior to the development being brought into use and retained thereafter.
Reason: In the interests of visual amenity and to preserve the setting of the Conservation Area to ensure the development complies with policies LP24 and LP35 of the Kirklees Local Plan, policies within chapters 14 and 20 of the National Planning Policy Framework and S72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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.

Plans and specifications schedule:

Plan Type	Reference	Revision	Date Received
Location Plan	01	-	10/07/2026
General Arrangement Drawing	02	-	10/07/2026
Heritage Statement	-	-	10/07/2026
Climate Change Statement	-	-	10/07/2026

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 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.