

# **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:         | <b>2026/62/91998/W</b>                                                                  |
| Site Address:         | 28, Greenside Crescent, Waterloo, Huddersfield, HD5 8QJ                                 |
| Description:          | Conversion of lower ground floor to habitable accommodation with associated alterations |
| Recommending Officer: | James Evans                                                                             |

#### **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: 28-Sep-2026**

## **Officer Report – 2026/91998**

### **Site Description**

The application site refers to 28, Greenside Crescent, Waterloo, Huddersfield, HD5 8QJ, a three storey detached property faced in brick with a pitched concrete tiled roof. The property benefits from a sloped garden space to the rear and lies in a relatively uniform street scene, surrounded by properties of similar size, scale, character and appearance.

### **Description of Proposal**

#### *The Scheme*

The applicant is seeking permission for the conversion of the lower ground floor to habitable accommodation with associated alterations. The conversion will add two new openings to the lower ground floor, the purpose of the conversion is to form a new study/snug area. The conversion will utilise uPVC windows and doors to match the existing dwelling.

#### *Supporting Information*

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

- Climate Change Statement

### **History of Negotiations / Amendments Received**

No amendments have been requested by Officers.

### **Relevant Planning History**

There is no planning history for the site which is considered relevant to the current proposal.

### **Representations**

Publication of the application has been undertaken in accordance with the Council's Development Management Charter

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 25/09/2026. No representations were received.

### **Consultation Responses**

No statutory consultations were requested for this application.

### **Allocation and Policy**

The site is allocated in a bat alert layer within the Kirklees Local Plan (adopted 2019). The site is also located within swift nesting area.

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 Safety
- LP22 Parking Provision
- LP24 Design

#### *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: -

- 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 Documents*

- Kirklees Highway Design Guide (adopted November 2019)
- House Extensions & Alterations SPD (adopted June 2021)

#### *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**

### **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 chapter 4 of the National Planning Policy Framework. The objectives of the policies in chapter 4 are to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements. For proposals within settlements policy S4 sets out development should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

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 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.

### **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.

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’*.

The proposed lower ground floor conversion would not increase the footprint of the existing dwelling, nor would it result in the loss of any amenity space to the rear. The addition of two openings to the lower ground floor is considered to be of an acceptable design, as they are in keeping with the design of the existing dwelling, as well as being in line with the existing openings.

The lower ground floor conversion is considered to relate satisfactorily to the host building and have an acceptable impact on visual amenity, in accordance with the requirements of policies LP1, LP2 & LP24 of the Kirklees Local Plan, having regard to principles 1, 2, 7 and 9 of the Supplementary Planning Document on House Extensions (SPD) and policies within Chapter 14 of 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.

The openings within the conversion would face into the private amenity space of the property with no other openings within any other elevation. The rear of the property is bound by fencing and large trees therefore, in terms of overlooking, it is not considered to cause significant harm from overlooking.

Due to the modest size and scale of the proposal, there are no concerns with regards to overshadowing and overbearing. Therefore, it is considered that the proposed conversion is acceptable in terms of residential amenity. It is considered there will be no significant impact on neighbouring properties, in terms of overshadowing, overbearing or overlooking, and the proposal would accord with the aims of policies LP1, LP2 & LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations Supplementary Planning Document as well as policies within chapter 14 of the National Planning Policy Framework.

#### **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 seeks to ensure acceptable levels of off street parking, adequate waste storage facilities are provided, are also considered to be of relevance.

The number of bedrooms within the property will not be increasing, therefore it is considered it would be unreasonable of the LPA to insist upon provision of additional parking space.

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

The development is set back adequately from the highway and as a result will have no significant impact upon highway safety.

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 15 of the National Planning Policy Framework.

#### **5. 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. 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. 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 roosting area and a swift nesting area, the proposals are relatively modest, and in this case would not impact upon the existing roof space which has the potential for providing a roost for bats and swifts. Therefore, it is considered unlikely that the proposals would have a significant impact on the bat and swift population. An informative would be included making the applicant aware that if bats or swifts 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. Subject to informative the proposal is considered to be acceptable in this regard.

## **7. Representations**

No representations have been received.

## **8. Conclusion**

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

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****CONDITIONAL FULL PERMISSION****Decision Authorisation: Delegated Powers****Application Number: 2026/91998****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.

Plans and specifications schedule:-

| Plan Type                    | Reference  | Version | Date Received |
|------------------------------|------------|---------|---------------|
| Application Forms            |            |         | 20/07/2026    |
| Proposed Site / Block Layout | 26/1358/05 |         | 20/07/2026    |
| Grouped Plans and Elevations | 26/1358/04 |         | 20/07/2026    |
| Grouped Plans and Elevations | 26/1358/03 |         | 20/07/2026    |
| Existing Site / Block Layout | 26/1358/02 |         | 20/07/2026    |
| Location Plan                | 26/1358/01 |         | 20/07/2026    |

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.

**Report Dated:**

28/09/2026

