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:	**2026/62/92568/E**
Site Address:	The Old Curates House, Horton Street, Heckmondwike, WF16 0LL
Description:	Demolition of existing outbuilding and erection of detached garage
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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 06-Nov-2026

Officer Report

Reference No. 2026/62/92568/E

Site Address: The Old Curates House, Horton Street, Heckmondwike, WF16 0LL

Proposal: Demolition of existing outbuilding and erection of detached garage

Site Description

The application relates to The Old Curates House, a two-storey semi-detached property located off Horton Street in Heckmondwike. The property is unallocated on the Kirklees Local Plan Proposals Map. The dwelling is constructed from natural stone and incorporates a dual-pitched roof finished in stone slate. The neighbouring properties are predominately of stone construction and are highly varied in terms of size, architectural styles. The site is not within a conservation area, nor are there any listed buildings or Public Rights of Way (PROW) within close proximity to the site.

Description of Proposal

The application seeks planning permission for the erection of a detached garage. The existing outbuilding will be demolished as part of the application. The proposed garage would have an overall length of approx. 7.25m, a depth of approx. 4.6m (depth of approx. 5.6m including the covered area), an overall height of approx. 4m and an eaves height of approx. 2.5m. The structure would be constructed from coursed natural stone with ashlar heads and corbels and would incorporate a dual-pitched roof finished in natural blue slates.

History of Negotiations/Amendments Received

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

Relevant Planning History

- **2026/91689:** Certificate of lawfulness for proposed erection of detached garage. Planning application details | Kirklees Council – Certificate of Lawful Opps Refused
- **99/92957:** Erection of detached garage. Planning application details | Kirklees Council – Conditional Full Permission

Representations
The application was publicised by site notice, which expired on 19th October 2026. As a result of the above publicity, no representations have been received.

Consultation Responses
Not Applicable.

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 UNALLOCATED on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies
- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highway Safety and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity & Geodiversity
- **LP 52** - Protection and Improvement of Environmental Quality

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

In this case, the following SPDs are applicable: -
- House Extensions and Alterations SPD (adopted 29th June 2021)
- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

National Policies and Guidance
National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 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. Most specifically in this instance, the below chapters are of most relevance:

- **Chapter 3** - Decision-Making Policies
- **Chapter 4** - Achieving Sustainable Development
- **Chapter 5** - Meeting the Challenge of Climate Change
- **Chapter 14** - Achieving Well-Designed Places
- **Chapter 19** - Conserving and Enhancing the Natural Environment

Assessment

1. Principle of Development

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. 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 on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety.

1. Impact on Visual Amenity

Kirklees Local Plan Policies LP1, LP2 and LP24 all seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity. Policy LP24 states that proposals should promote good design by ensuring: *"a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…"*

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."*

Detached Garage

The detached garage proposed would be single storey in height and would be located east of the host dwelling. The building would have an overall length of

approx. 7.25m, a depth of approx. 4.6m (depth of approx. 5.6m including the covered area), an overall height of approx. 4m and an eaves height of approx. 2.5m. The garage would be constructed from coursed natural stone with ashlar heads and corbels and would incorporate a dual-pitched roof finished in natural blue slates to match the appearance of the original build. The structure would appear subservient in relation to the host dwelling and would be set back approximately 14.6m from the public pavement which would reduce its prominence and visibility from vantage points along Horton Street. Furthermore, it is considered that the property and its curtilage would support the proposal without it appearing incongruous or amounting to overdevelopment. Therefore, it is considered that the proposed development would respect the character and appearance of the host property and wider street scene.

Summary

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of the host dwelling or the wider street scene, complying with Policy LP24 and LP35 of the Kirklees Local, KDP 1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 14 of the National Planning Policy Framework.

2. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

Impact on Highfield Villa (1 Horton Street)

Highfield Villa is a residential property located south-east of the application site. The submitted plans confirm that the proposed garage would occupy a position approximately 0.9m from the common boundary shared with the neighbouring property. However, given that the structure would occupy a similar position to the existing garage, it is considered that there would be no further undue harm to the neighbour's residential amenity as a result of the proposed works.

Impact on Ann Lea (1A Horton Street)

Ann Lea is the semi-detached property that adjoins the host dwelling to the north-west. The submitted plans confirm that the proposed garage would be sited approximately 11.2m from the common boundary shared with the

neighbouring property and would accord with 45 degree rule in relation to the neighbour's rear fenestration. On this basis, officers consider that there would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of the neighbouring occupants, over and above the existing arrangements on site.

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, Key Design Principles 3, 5, 6 & 7 of the House Extensions and Alterations SPD and the National Planning Policy Framework.

3. 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 proposed development would not intensify the domestic use at the dwelling or affect the existing parking arrangements on site. Therefore, the development is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 15 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4. Other Matters

Carbon Budget

The proposal is a small-scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards. There are no other matters relevant to the determination of this application.

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

5. Representations

No representations were received following the statutory publicity.

6. Conclusion

This application for the erection of a detached garage at The Old Curates House 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 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: 2026/92568
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, LP21, LP22, LP24, LP30, and LP52 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.

3. The detached garage hereby approved shall be constructed from coursed natural stone for the external walls with ashlar heads and corbels and natural blue slate for the roof to match the appearance of the host dwelling. The

materials of construction shall thereafter be retained for the lifetime of the development.
Reason: In the interests of visual amenity 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 Chapter 14 of the National Planning Policy Framework.

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
Site Location Plan	-	-	11/09/2026
Proposed Floor Plan and Elevations	03	-	11/09/2026
Proposed Site Plan	02	-	11/09/2026
Climate Change Statement	-	-	11/09/2026

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. In this case, the design of the

original scheme has been found acceptable. No further amendments or details were sought thereafter.

Report Dated: 20/10/2026