

**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:	2024/62/93616/E
Site Address:	Marsh Croft, 11, Marsh Hall Lane, Thurstonland, Huddersfield, HD4 6XD
Description:	Erection of single storey rear extension and rear dormer extension and alterations to roof (within a Conservation Area)
Recommending Officer:	Jennifer Booth

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: 19-Mar-2025

OFFICER REPORT

Site Description

Marsh Croft is a detached, stone built bungalow with gardens and a drive to the front side and enclosed gardens to the rear of the property. The property has an integral garage and an orangery to the rear.

The property backs onto open fields with residential properties to each side and to the front and varying styles.

The site is located within the Thurstonland Conservation Area.

Description of Proposal

The applicant is seeking permission for a single story rear extension, rear dormer and associated alterations.

The rear extension would replace the existing orangery and would project 2.7m infilling the rear corner with a width of 9.9m. The roof over the main house would be extended over the extension. The walls of the extension would be constructed using stone with tiles for the roof covering.

The rear dormer in the new roof would have a width of 8.5m and a height of 2m, set up 2.2m from the eaves of the dwelling and down 1.7m from the ridge. The dormer would be clad in slatted timber in an antique finish.

The plans also show roof 6 small roof lights in the front roof plane and alterations to the entrance.

Relevant Planning History

2014/93532 - certificate of lawful development for removal of conservatory and replacement with new glazed garden room - withdrawn

2014/93906 - demolition of conservatory and erection of a single storey rear extension - approved

Representations

The application was advertised by neighbour letters, site notice and press notice which expired on 07/03/2025.

As a result of the above publicity, no representations have been received.

Consultation Responses

None

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. However, the property is sited within the Thurstonland Conservation Area

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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP 35** - Historic Environment

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.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, and 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 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

Principle of development:

The site is within the Thurstonland Conservation Area. Section 72 of the Listed Buildings & Conservation Areas Act (1990) requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area. This is mirrored in Policy LP35 of the Kirklees Local Plan together with guidance in Chapter 16 of the National Planning Policy Framework. Visual amenity, residential amenity and highway safety will be assessed in this report. There is no Conservation Area Appraisal for this Conservation Area.

Impact on heritage asset:

The property is a modern dwelling within a conservation area and as such, the scheme needs to be assessed having regards to Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework. Paragraph 207 of the NPPF requires the provision of a heritage impact assessment which should describe the significance of the heritage asset and the impact the proposals would have. The applicant has supplied a heritage statement which describes the heritage asset.

The statement in paragraph 4.1 states that “An effort has been made to minimise alteration to the front façade of the house so there is little effect to the roadside view. The Thurstonland Conservation Map does not have an accompanying appraisal but the property in question is one of the more modern buildings in the area with much less historical importance. That being said the existing property is still in keeping with the historically important properties of the area and it is our intention to retain that in the proposal.”

Paragraph 212 of the NPPF advises that when considering the impact of a development on a designated heritage asset (in this case the Conservation Area), great weight should be given to the asset’s conservation, irrespective of whether any potential harm amounts to substantial harm, total harm or less than substantial harm to its significance. Paragraph 213 of the NPPF goes on to state that any harm to, or loss of the significance of a designated heritage asset should require clear and convincing justification.

Officers have reviewed the elements of the proposal and note that the changes to the front elevation and the introduction of roof lights, whilst visible within the wider area, do not represent discordant alterations in terms of the

style of the host property. As such, in this case, the extension and dormer proposed to the rear would have a null impact on the conservation area. The statement is considered to justify the design and appearance which would be in keeping with the modern character of the dwelling and would form an appropriate appearance in terms of the wider area. The scheme therefore is considered to comply with Policy LP35 of the Kirklees Local Plan and advice within Chapter 16 of the National Planning Policy Framework.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the House Extensions & Alterations SPD goes on to state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

Front alterations

The changes proposed to the front elevation include altering the shape of the entrance from an arch to a rectangle and roof lights. These changes are minor and would not significantly alter the character of the dwelling. The changes to the front can therefore be considered to be acceptable in terms of visual amenity.

Single storey rear extension

Paragraphs 5.1 and 5.2 of the House Extensions & Alterations SPD go into further specific detail regarding rear extensions requiring development to maintain the quality of the residential environment, respect the original house and use appropriate materials.

The scale of the rear extension is modest in terms of its footprint and the roof form proposed, a continuation of the main roof can be considered to form an appropriate relationship with the main house. The use of stone for the walling with tiles for the roof covering would match the host property. The single storey rear extension is therefore considered to be acceptable in terms of visual amenity.

Rear dormer

Para.5.25 of the House Extensions & Alterations SPD suggests that rear dormers can be considered to be appropriate dependent upon design and size.

The rear dormer would still allow the main roof to remain the dominant element. The materials proposed with the cladding would continue the overall scheme of renovations to form an appropriate relationship with the host

property. The rear dormer is therefore considered to be acceptable in terms of visual amenity.

Having taken the above into account, the proposals would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

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 House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

The application property is located adjacent to No. 15 to the north and Farnley Stud to the south west. Notwithstanding this, due to the nature of the proposals and orientation of the neighbouring properties in relation to the application property, it is considered that the proposals would have no adverse impact upon the amenities of the occupants of those neighbouring properties.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying 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 & Alterations SPD and Paragraph 135 (f) of the National Planning Policy Framework.

Impact on highway safety:

The proposals will result in some intensification of the domestic use. However, the parking area to the front of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. Bin storage for the dwelling would not be moved as part of the proposals. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions & Alterations SPD.

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 for consideration.

Representations:

None

Negotiations:

None

Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

Conclusion:

This application for a single story rear extension, rear dormer and associated alterations at Marsh Croft has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, 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 proposals are 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.

As set out above, 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: 2024/93616

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

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and to preserve and enhance the character and appearance of the Thurstonland Conservation Area, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of chapters 12 and 16 of the National Planning Policy Framework.

4. The rear dormer hereby approved shall be clad in 'Neotimber slatted cladding – Antique' (or similar) in accordance with the details shown on plan ref 2100-P02 (Proposed Elevations) and thereafter retained.

Reason: In the interests of visual amenity and to preserve and enhance the character and appearance of the Thurstonland Conservation Area, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of chapters 12 and 16 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	Web ID	Date Received
Location plan	-	1071237	23/12/2024
Existing floor plans	0200-P01	1071244	23/12/2024
Existing elevations	0201-P01	1071240	23/12/2024
Block plans	0100-P02	1070535	23/12/2024
Block plan	0700-P01	1071241	23/12/2024
Proposed floor plans	2000-P02	1071242	23/12/2024
Proposed elevations	2100-P02	1071239	23/12/2024
Heritage statement	P01	1070534	23/12/2024
Climate change statement	-	1071238	23/12/2024

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.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated

10/03/2025

