

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:	2025/62/90047/E
Site Address:	178, Marsh Lane, Shepley, Huddersfield, HD8 8AY
Description:	Erection of extensions and alterations to dwelling, demolition of outbuildings and erection of detached garage
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.

Emma Thompson

AUTHORISED OFFICER

Date: 21-Jul-2025

OFFICER REPORT

Site Description

178 Marsh Lane is a detached bungalow located in Shepley. It is constructed of coursed natural stone. The dwelling occupies a somewhat prominent position, elevated above Marsh Lane which slopes upwards to the south, away from Row Gate. The roof of the dwelling is a hipped design, finished in natural blue slates. The property benefits from extensions to two elevations. There are a number of outbuildings within the curtilage. The principal amenity space is located to the front of the property.

There is a driveway leading off Marsh Lane to the front of the dwelling. The neighbouring properties to the southeast are also stone-built but are generally older and of a more traditional style compared to the applicant property.

Description of Proposal

The applicant is seeking permission for the erection of extensions and alterations to the main house, demolition of the existing outbuildings and erection of a detached garage.

The existing front entrance would be moved from the north east elevation. The existing projecting element would be increased from 1.35m to 2m and would be extended to fill the full north east elevation with the new section having a timber frame double pitch. The existing hipped roof would be partially altered to a gable.

The scheme also proposed an infill extension on the south west elevation which would project 7.15m from the original house with a depth of 5.5m. The roof form would be pitched.

The existing porch to the rear would be enlarged with 2m by 3.2m with a pitched roof form.

The existing outbuildings would be removed, and a detached double garage would be erected with a width of 7.1m, a depth of 6.8m, with an eaves height of 2.7m and an overall height of 4.7m with a pitched roof form.

The walls for the most part would be constructed using stone, except for the timber framing shown on the north east elevation. The roof covering would be blue slate.

Relevant Planning History

1995/91909 – erection of extensions – refused

1995/93156 – erection of extensions - approved

2000/92575 – erection of bedroom extension – approved

2021/94595 – demolition of outbuildings, erection of extensions and alterations to dwelling and detached garage – withdrawn

2023/90229 – raising of roof height to form first floor, erection of two storey and single storey extensions and associated alterations – refused

Pre- app advice was also sought prior to the submission of the current application.

History of negotiations

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2024 encourages negotiation/engagement between Local Planning Authorities and agents/applicants, this is only within the scope of the application under consideration. The initially submitted bat survey was considered to be out of date. An updated bat survey was requested and provided.

Representations

The application was advertised by neighbour letters, which expired on 04/03/2025

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

Consultation Responses

K.C. Biodiversity – After receipt of a bat survey, no issues. Suggested condition and footnote.

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 Green Belt on the Kirklees Local Plan Proposals Map

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 57** – Extension, alteration or replacement within Green Belt

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 13 – Protecting green belt land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

Principle of development:

The site is within the Green Belt on the Kirklees Local Plan Proposals Map. As such a key consideration will be its impact on the Green Belt and it will be assessed having regard to Policy LP57 and NPPF chapter 13. In addition, the impact of the development on design grounds, residential amenity and highway safety will also be considered along with, biodiversity and all other material considerations and representations received.

Impact on Green Belt:

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt. Paragraph 153 of the NPPF states that inappropriate development should not be approved except in 'very special circumstances'.

Paragraphs 154 and 155 of the NPPF set out that certain forms of development are exceptions to 'inappropriate development'. Paragraph 154 sets out that the extension or alteration of a building could be appropriate provided it does not result in disproportionate additions over and above the size of the original building. Policy LP57 of the Kirklees Local Plan is consistent with advice within the NPPF. Policy LP57 of the Local Plan relates to the extension, alteration and replacement of existing buildings in the Green Belt. In the case of extensions, it notes that these will be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance.

Policy LP57 also outlines that such development should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standing, curtilages and enclosures and means of access. Further to this, Policy LP57 states that with such development, the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.

It is important to begin by understanding what constitutes the "original building". The glossary within the National Planning Policy Framework defines "original building" as: "A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally." From historic OS maps, it appears the original building was constructed between 1922 and 1955, with OS imagery from 1955 (figure 1) showing the building as having an approximately square form, with a small outrigger to the south-western elevation, and an outbuilding to the western corner of the site. It appears that outbuildings were added to the south between 1955 and 1965 (figure 2), which have since been extended and added to.

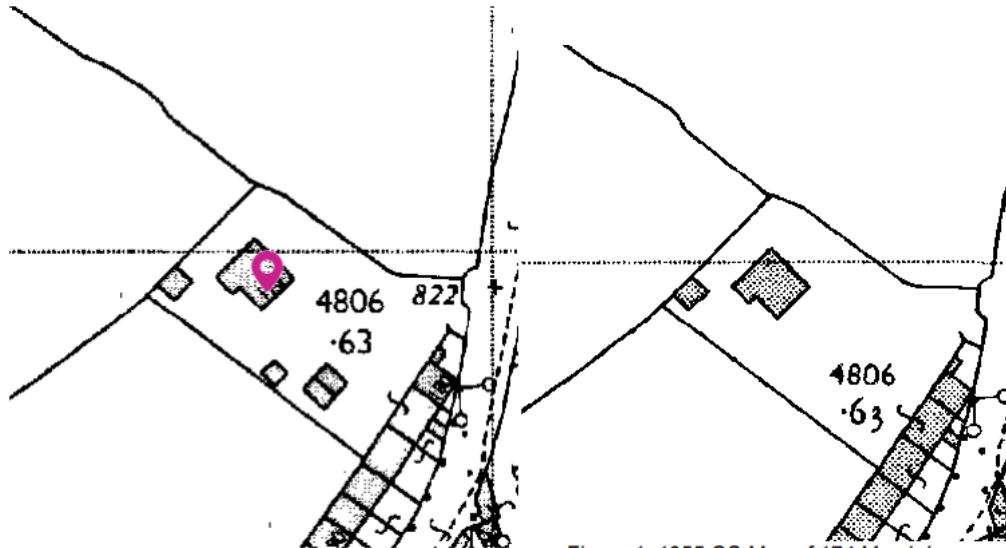


Figure 2: 1965 OS Map of 174 Marsh Lane

Figure 1: 1955 OS Map of 174 Marsh Lane

The dwelling, in its current form, results from applications to extend the dwelling approved in 1995 (95/93156) and 2000 (2000/92575). Given the above, in assessing whether the extensions proposed under this application would constitute a disproportionate addition to the original building, it is also necessary to consider other additions to the original building. That is, it needs to be assessed whether the existing and proposed extensions to the original building would cumulatively constitute a disproportionate addition. As referred to above, 95/93156 granted permission for an extension, which officers consider relates to the entrance, sitting room, and WC to the southwestern elevation of the original building. This element has been constructed, replacing the small outrigger evident in figures 1 and 2. 2000/92575 granted permission for a small bedroom extension to the north-eastern elevation of the original building. This element has been constructed. It is noted that a uPVC porch has also been constructed to the south-western elevation.

The application site is located within the Green Belt in a semi-rural setting, surrounded by other residential properties. The Green Belt serves an important role in preventing urban sprawl, maintaining openness, and preserving the character of the countryside. While the property has been previously extended, the current proposals include alterations to shift the front elevation, roof modifications converting a hip to a gable, and further extensions to the north-east and south-west elevations. The original dwelling had a footprint of 81 sq.m, with existing extensions adding 42 sq.m. The proposed additions would contribute a further 63 sq.m, resulting in a total enlargement of 105 sq.m over the original bungalow. Additionally, the scheme involves the removal of five outbuildings, totalling 133.2 sq.m, and the construction of a new 45 sq.m double garage to the south of the property. While the removal of outbuildings may enhance openness, the cumulative increase in built form must be carefully considered to ensure it does not conflict with Green Belt policy objectives. Furthermore, it is important to note that assessment into whether additions to a building are disproportionate is more than just an arithmetic exercise.

The proposed extensions would be situated on three sides of the dwelling, in addition to alterations to the south elevation and a modest adjustment to part of the roof. It is considered that the existing dwelling has an irregular footprint, and the proposed extensions would not significantly alter the established building line. Additionally, the replacement of the existing assortment of outbuildings with a new double garage would not result in a significant infringement upon the openness of the Green Belt given its location on the site of older outbuildings and between the host property and the neighbouring terraces. In this instance, it is considered that given the careful design and integration of the proposed extensions with the existing house, the original form of the dwelling would still be discernible, and the works would not detract from the original character of the dwelling. On balance, and subject to the removal of permitted development rights for Classes A–E to prevent any further unregulated expansion, the proposals are considered acceptable in Green Belt terms.

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.

The proposal under consideration consists of 4 distinct elements which shall be addressed below.

Change to move the “front” elevation

Paragraph 4.2 of the House Extensions & Alterations SPD states that “the local context, character and identity of the area will be a significant factor in determining the appropriate form and scale of alterations”. Paragraph 4.6 states “where extensions seek to differ from the existing materials, **design**, roof pitch or detailing, proposals will be considered on a case by case basis.”

The statement included with the application discusses the changes to which elevation is the front as being a “logical” alteration. As the property is approached via a long drive from the main road with the vehicles crossing the south elevation to turn into the parking area, this could be considered to be an acceptable change. The new door would be similar in shape to the original door and appropriate materials would be used.

North east side extension & roof alteration

Paragraphs 5.15 & 5.16 of the House Extensions & Alterations SPD are of relevance with regards to the side extension as they require the development proposed to be located and designed to minimise the impact on the character

of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space.

The north east elevation, which currently hosts the entrance into the property, would be altered to serve the property as a side elevation and would be extended with an additional element to the existing extension and infilling the remaining depth of the dwelling. It is noted that the design, which is for a timber framed structure with substantial glazing would add a modern affectation to the dwelling. The surrounding development, although limited, is mixed in terms of age and style with a non-linear relationship relative to the host property and as such, the alteration would not be out of character with the wider area.

Paragraph 4.2 of the House Extensions & Alterations SPD states that “the local context, character and identity of the area will be a significant factor in determining the appropriate form and scale of alterations”. Paragraph 4.6 states “where extensions seek to differ from the existing materials, design, **roof pitch** or detailing, proposals will be considered on a case by case basis.”

Part of the original hipped roof would be gabled, in line with the existing extension on the north east side of the property. This is a small alteration and the main roof would remain the same in terms of form and height.

Given the modest dimensions and appropriate design, the north east side extension and roof alterations are considered to be justifiable in terms of visual amenity.

South west extension and increase to existing rear porch

Paragraphs 5.15 & 5.16 of the House Extensions & Alterations SPD are of relevance with regards to the side extension as they require the development proposed to be located and designed to minimise the impact on the character of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space.

The infill extension to the south west side of the property would be substantial in width. However, this would have a slightly lesser projection than the existing extension and would square off the footprint of the property. The use of appropriate materials, with stone for the walling and tiles for the roof covering, would form an appropriate relationship with the main house.

Demolition of outbuildings and erection of double garage

There are currently five outbuildings, with four to the south of the dwelling and the fifth located on the west corner adjacent to the dwelling, these would be removed as part of the proposals and a replacement outbuilding would be constructed on the south east corner of the site.

Paragraph 5.29 and 5.30 of the House Extensions & Alterations SPD considers an outbuilding can have as much of an impact on the appearance

of a building as any extension. These should be designed to reflect the style, shape and features of the host property and be subservient in terms of the scale of the original dwelling.

The outbuilding is considered to be acceptable in terms of its footprint, design and height. The materials proposed would match the main house. The double garage 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 nearest properties to the site are the terraces to the south east, 180, 182 & 184 Marsh Lane, which are situated 28m from the house. The extensions to the property would be some distance from the neighbours and the space would not be reduced between the properties.

The garage would be closer to the neighbours. However, as this is replacing a number of outbuildings with a structure of a smaller footprint although a similar height, it is not considered that there would be any additional overlooking, overshadowing or overbearing.

With regards to the impact on the 180-184 Marsh Lane, the scheme is considered to be acceptable in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

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 Chapter 12 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 the scheme includes the provision of a double garage which 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:

Biodiversity

A bat survey has been provided. The findings suggest no evidence of bats however it is suggested that a bat box is incorporated to enhance biodiversity. The Biodiversity Officer is supportive of the scheme. A condition will be included requiring the provision of a bat box in line with the recommendations of the bat survey. A note will also be added regarding the protected nature of bats.

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.

It is considered to be reasonable and necessary to include a condition removing permitted development rights for classes A – E given the substantial extensions, both existing and proposed and the detached outbuilding to ensure any future development is carefully considered in terms of the impact on the green belt.

It is considered to be reasonable and necessary to include a condition requiring the provision of bat boxes given the findings of the submitted bat report.

Conclusion:

This application for the erection of extensions and alterations to the main house, demolition of the existing outbuildings and erection of a detached garage at 178 Marsh Lane 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: 2025/90047

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 accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order (with or without modification)) no development included within Classes A through E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and to avoid detriment to the openness and character of the green belt in accordance with Policies LP24 & LP57 of the Kirklees Local Plan as well as the National Planning Policy Framework.

5. A bat box shall be incorporated into the dwelling during the construction of the extensions; the box shall be Schwegler Bat Wall System 3FE or similar and shall be located away from artificial sources of light and be sited at least 4 metres above ground level. The bat box shall be provided prior to the completion of the extensions and thereafter be retained.

Reason: To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone

intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

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	-	1072457	27/01/2025
Existing plans	02	1072455	27/01/2025
Proposed plans	03c	1073994	27/01/2025
Proposed garage	04	1073170	27/01/2025
Planning statement	-	1072460	27/01/2025
Calculations	-	1072458	27/01/2025
Bat report	-	1072459	27/01/2025
Updated bat report	June 2025	1094172	01/07/2025
Climate change statement	-	1073187	27/01/2025

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.

The initially submitted bat survey was considered to be out of date. An updated bat survey was requested and provided.

Report Dated

16/07/2025
