

**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:	2025/62/90077/E
Site Address:	6, Park Close, Batley, WF17 7JJ
Description:	Erection of two storey rear extension with porch to front and side elevations
Recommending Officer:	Faiza Bano

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: 11-Mar-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/90077
Location	6, Park Close, Batley, WF17 7JJ
Proposal	Erection of two storey rear extension with porch to front and side elevations
Publicity end date	5 th March 2025
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	BatAlert, LB Airport Consult - Area 1, DEVELOPMENT_LOW_RISK_AREA
Extension to Time (EoT)	No
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) December 2024
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	Yes	Revised plans that increase the side porch to 2.5m
Parish/Town Council comments sought	No	N/A

(Kirkburton)		
Planning History	Yes	<p><u>Planning Ref: 2023/92588</u> Location: 6, Park Close, Batley, WF17 7JJ App Type: HHPD EXTENSION Proposal: The proposal is for erection of single storey rear extension. The extension projects 6m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3.5m, the height of the eaves of the extension is 2.4m Decision: NANR - NOT REQUIRED Decision Date: 2023-10-09</p> <p>It is noted this can still be lawfully implemented and constitutes a realistic fall back position in this case.</p> <p><u>Planning Ref: 2021/94383</u> Location: 12, Park Close, Batley, WF17 7JJ Proposal: Erection of single and two storey rear and two storey side extensions Decision: FC - CONDITIONAL FULL PERMISSION Decision Date: 2022-02-15</p> <p><u>Planning Ref: 2021/92444</u> Location: 12, Park Close, Batley, WF17 7JJ App Type: HHPD EXTENSION Proposal: The proposal is for erection of single storey rear extension. The extension projects 6m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 4m, the height of the eaves of the extension is 2.4m Decision: NANR - NOT REQUIRED Decision Date: 2021-07-19</p>
Consultations required	No	N/A

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Assessment

The Kirklees SPD recommends that single storey front extensions meet certain parameters set out at paragraph 5.14 on page 27 (and listed below) and if they do not, they need to be justified:

Single storey front extensions:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
The house is set well back from the pavement or is well screened; and	Yes - the house is well set back from the pavement and benefits from a modest front garden	
The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area; and	Yes – the extension would appear subservient and has been designed with a pitched roof, in-keeping with host property and similar to neighbouring properties, 10 and 12	
The materials and design match the existing features of the original house; and	Yes – materials would match existing	
The extension would not unreasonably affect the neighbouring properties.	Yes – the modest scale would result in minimal impact on neighbouring property as it is single storey, and they have a similar extension in place.	

The Kirklees SPD recommends that two storey rear extensions should comply with certain parameters set out in paragraph 5.8 on page 25 (and listed below) and if they do not, they need to be justified:

Two Storey Rear Extensions Should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
be proportionate to the size of the original house and garden;	Yes - the extension is not considered to cause detriment to the street scene. There is a similar scheme that has been previously approved and already constructed at number 12.	

not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);	Yes – the extension does not cover more than half of the total area around the original house. Considered acceptable due to neighbouring properties having a similar extension.	
not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;	Yes - The proposed extension projects out by approximately 2.7m which is in keeping with the SPD. Considered acceptable due to neighbouring properties having a similar extension. Ample garden space will be retained to the rear of the house.	
not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;		No - The proposed extension projects out by 2.7m and has an eaves height of 4.8m. The two storey part of the extension does not exceed the other limits set out in the SPD and the closest first-floor opening is non-habitable, minimising privacy and light impact.
be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and		No – Although the extension follows the extent of the existing side elevations of the host property in relation to proximity to the boundaries.
not adversely affect habitable room windows where they adjoin a neighbour's boundary	The level of projection of the two storey element of the proposal is such that it would not significantly impact windows of adjoining occupiers in terms of overshadowing or being unduly oppressive.	

The Kirklees SPD recommends that single storey rear extensions should comply with certain parameters set out at paragraph 5.2 on page 23 (and listed below) and if they do not, they need to be justified:

Rear Extensions Should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
respect the original house and garden in terms of its size and scale	Yes – the extension does not cover more than half of the total area around the original house.	
use appropriate materials which match or are similar in appearance to the original house; and	Yes – to match existing	
not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.		The proposed single storey rear element of the proposal would have an impact to some degree in terms of massing along the shared boundary and resultant overshadowing / oppressive impact. However there is a realistic fall back position which would allow for a structure of the same proportions to be undertaken in any event. This is considered to constitute justification for the development in this case.

The Kirklees SPD recommends that single storey rear extensions should comply with certain parameters set out at paragraph 5.6 on page 24 (and listed below) and if they do not, they need to be justified:

Single storey extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
be in keeping with the scale and style of the original house;	Yes – The extension is designed to be in keeping with the scale and style of the original house. It uses similar materials and architectural features, ensuring it blends seamlessly with the existing structure.	

<p>not normally cover more than half the total area around the original house (including previous extensions and outbuildings);</p>	<p>Yes – The extension does not cover more than half the total area around the original house.</p>	
<p>not exceed 4 metres in height;</p>	<p>Yes – The extension does not exceed 4m in height. The eaves height of 2.5m is within the permissible limit, ensuring the structure remains unobtrusive and does not overshadow neighbouring properties.</p>	
<p>not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;</p>		<p>The extension is part of a combined two storey and single storey rear extension. The single storey portion projects out by 6m however this has previously received permission through the Larger House Extensions prior approval process, providing a realistic fallback position for an extension of this length. This is considered to provide justification in this case in relation to this element of the development proposal.</p>
<p>where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and</p>	<p>The extension has an eaves height of 2.5, the extension does not exceed 3m in length. Therefore, it meets the criteria for eaves height, ensuring it does not negatively impact the visual amenity of the area.</p>	
<p>retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.</p>	<p>.</p>	<p>The extension retains a gap of at least 2.66m from the shared property boundary with number 4 however, does not retain a gap with number 8. Given the orientation of the row</p>

		of properties in relation to the sun's path, the extension does not cause any issues regarding loss of outlook or overshadowing. In relation to the space between number 6 and 4, the gap ensures adequate space for maintenance and reduces the risk of disputes with neighbours. The relationship to the boundary is the same as that of the host property which is up to the boundary with no.8.
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The Kirklees SPD sets out that single storey side extensions should comply with certain parameters set out at paragraph 5.17 on page 28 (and listed below) and if they do not, they need to be justified:

Single storey side extensions should be offset and complement the original building. As such, single storey side extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
not extend more than two thirds of the width of the original house;	Yes – the proposed extension projects out by approximately 1.3 m	
not exceed a height of 4 metres; and	Yes – the proposed extension has an overall height of approximately 3.3m	
be set back at least 500mm from the original building line to allow for a visual break	Yes – the extension is set back more that 500mm.	

The Kirklees SPD sets out that dormer window extensions should comply with certain parameters set out at paragraph 5.27 on page 32 (and listed below) and if they do not, they need to be justified:

Dormer windows should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>

relate to the appearance of the house and existing roof;	Yes - regarding design, the proposed dormer would demonstrate a resemblance to the original dwelling in terms of roof design.	
be designed in style and materials similar to the appearance of the existing house and roof;	Yes – dormer is designed with a pitched roof and would appear similar in terms of construction materials, design and size. As such, the proposed dormer would not be out of character with the area and is considered to be acceptable in terms of visual amenity.	
not dominate the roof or project above the ridge of the house;	The dormer is positioned below the ridgeline and is of a scale that ensures the main roof remains the dominant feature. It is side-facing and situated within the roof plane of the proposed two-storey extension, making it invisible from the front elevation. The plans specify that the dormer window will be constructed with obscured glazing, thereby minimising privacy concerns.	
be set below the ridgeline of the existing roof and within the roof plane; and	Yes – proposed dormer is set below the ridgeline and would not project above the ridge of the house.	
be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.	Dormers are not a characteristic element of the street scene. The design of the proposed dormer is of a scale which is considered to be acceptable in this case.	

Design and Visual Amenity:

Summary of local street scene/character:

The site to which the application site relates to is number 6, Park Close, Batley, WF17 7JJ. A two-storey semi-detached dwelling faced in red brick and the roof is finished in concrete tiles. The property benefits from amenity space to the front, side and rear. The dwellings that form the street scene are similar in appearance, scale and material palette. The area is predominantly residential, and the street scene encompasses several dwellings of similar character size, design and scale.

In terms of parking provision, the row of properties does not have any in-curtilage parking available. However, there is on-street parking available nearby.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	The extension is generally modest in scale and due to a neighbouring property having similar extensions, the proposed development would not appear overly prominent. The proposed development would be located to the front, side and rear of the property and will have some impact on the character or street scene across the frontage of the property.	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP 	The original property would remain the dominant feature.	✓

	<ul style="list-style-type: none"> • Chapter 12 of the NPPF 		
Height, scale and massing	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	As above. The extension would project across the front, side and rear of the property. The proposed development consists of a single-story extension to the front and side, a part two-storey and single storey extension to the rear and a side facing dormer located at the rear.	✓
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF 	Facing materials to match existing. Condition to ensure this is the case is recommended. A condition to ensure the former walls and roof are of a dark grey colour finish is recommended to ensure the visual impact of this element of the proposal is acceptable.	✓
Roof style	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF 	pitched roof style to front extension, lean-to roof style to the side extension, pitched roof style to the two-storey extension, lean to roof style to the single-story rear extension, and pitched roof style to the dormer. All roof styles are acceptable as they are in-keeping with the original roof style of the host property and/or match the character of the street scene.	✓
Window proportions	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP 	Modest size windows in extensions, which would be in-keeping with existing building.	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 		
Accessibility for all users	<ul style="list-style-type: none"> KDP 17 of the SPD Policy LP24 Design (f) Chapter 12 of the NPPF 	Private domestic extension which would provide easy access into the main house.	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity: Are the considerations in the following table acceptable?

The main properties affected are:

- 4 Park Close - Adjacent property and shall see an alteration to the appearance of the front, side and rear elevation. The application property's rear elevation sits further back than this property due to positioning and orientation, as such no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact. The dormer window facing no.4 is intended to be obscure glazed, this would be secured by condition to ensure no unacceptable level of overlooking occurs from this opening.
- 8 Park Close – Adjoining semi-detached property, shall see an alteration to the appearance of the front and rear elevation, as such no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact. Extension is designed ensure privacy to neighbours and will not produce conflict relating to light and outlook. The extension is designed to ensure that it meets the 45° at first floor level, although the closes opening to this part of the extension is non-habitable. Issues regarding loss of light/outlook/overshadowing are minimal due to the orientation of the row of properties in relation to the sun path. Weight is afforded the fact the single storey rear element can be undertaken in any event, and it is considered that the level of projection at the two storey level would not significantly impact upon the occupiers of no.8. Therefore, in this case, refusal on the basis of the impact to no.8 in terms of overshadowing or being an oppressive addition could not be substantiated in this case given the realistic fall back which exists.
- 28 Purlwell Crescent – This property is located at the rear of the application site. This property and the application site share a rear boundary line. Number 28 shall see an alteration to the rear of the application site. Due to the separation distance between this property and the application site, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact. Extension is designed ensure privacy to neighbours and will not

produce conflict relating to light and outlook.

- There are properties to the front and rear, however, given the separation distance and that the proposed extension is the set back from the boundary, it will not significantly impact the properties at the front.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	Acceptable for the reasons set out above.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	As above.	✓
Remaining garden space of application property	<ul style="list-style-type: none"> • KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF 	As above.	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	<ul style="list-style-type: none"> • KDP 15 of the SPD 	Parking is predominantly provided on-street, which remains acceptable due	✓

	<ul style="list-style-type: none"> • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	<p>to the location of this property and the neighbouring houses.</p> <p>The proposal sees an increase from a three-bedroom house to a four bedroom house (an additional bedroom is proposed at ground floor level). It has been observed that the dwelling is located within a reasonable sustainable area, with close proximity to public transport links. Given the site's logistics and the inability to provide on-site parking, officers do not believe the highway safety concerns are significant enough to warrant a refusal of this application.</p>	
Parking provision	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	Maintains appropriate access and off-street in-curtilage parking.	✓
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	None shown on plans however, there is sufficient space within the red line boundary to allow for storage on site. Condition not considered necessary.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A

Impact on trees	<ul style="list-style-type: none"> • KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF 	N/A	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	N/A	✓
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF 	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	✓
Drainage and Flood Risk	<ul style="list-style-type: none"> • KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP 	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

The application was advertised via neighbour notification letters.

Final publicity date expired: 3rd December 2024

As such, no representations were received:

Conclusion:

Reason: In the interests of the amenity of the occupiers of neighbouring properties to accord with policy LP24 of the Kirklees Local Plan, Principle 3 of the adopted SPD on House Extensions and Alterations and Policies within Chapter 12 of the National Planning Policy Framework.

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	Version	Date Received
Proposed Floor Plans	2024-6PC-03a Elevations		6 th March 2025
Proposed Elevations	2024-6PC-04a Elevations		6 th March 2025
General	Climate Change Statement		17 th January 2025
Application Form			17 th January 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 Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Report Dated:

