

**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:	2025/62/90147/W
Site Address:	5, Stone Acre Heights, Meltham, Holmfirth, HD9 4EF
Description:	Demolition of existing conservatory, garage and single storey rear extensions and erection of replacement single storey rear extension
Recommending Officer:	Molly Storer

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: 02-Apr-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/90147
Location	5, Stone Acre Heights, Meltham, Holmfirth, HD9 4EF
Proposal	Demolition of existing conservatory, garage and single storey rear extensions and erection of replacement single storey rear extension.
Publicity end date	28 th March 2025
Number of representations received	One – Parish Council, confirmed they noted the application.
Kirklees Local Plan Allocation/Designation	Unallocated for development in the Kirklees Local Plan.
Extension to Time (EoT)	Yes – 31 st March 2025
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	✓	

If 'No' to all above, proceed with a fast track report

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 30** – Biodiversity and geodiversity
- **LP 51** – 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	No	

Parish/Town Council comments sought	Yes	Holme Valley Parish Council – Noted, no objections.
Planning History	Yes	<p>2024/93436 – Prior notification for single storey rear extension – Refused.</p> <p>Reason for refusal:</p> <p><i>‘The proposed enlargement does not benefit from a general planning permission under Article 3(1) and Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the rear projection extends beyond a wall forming a side wall of the original dwellinghouse and has a width greater than half the width of the original dwellinghouse contrary to sub-paragraph A.1(j) of Class A.’</i></p> <p>87/03505 - Erection of porch and first floor extension to form bedroom - Granted conditionally.</p> <p>89/06313 – Erection of detached garage – Granted conditionally.</p> <p>97/91383 – Erection of conservatory – Conditional Full Permission.</p>
Consultations required	No	

Assessment

The proposal is to demolish and replace the existing conservatory, garage and single storey rear extensions with a new single storey extension.

The proposed single storey extension is proposed to be finished externally with coursed natural stone to match the existing dwelling house.

The extension would project 6m from the rear elevation and will have a width of 8.431m. The extension will have a flat roof with a height of 3m. The two roof lanterns will make the maximum height of 3.4m.

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

Single-storey rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
be in keeping with the scale and style of the original house		No – Whilst the proposed materials of coursed natural stone for the walls will match that of the existing property the proposal is of a flat roof design and of a large scale. However, in this case, the flat roof design will be of a parapet design and to a certain degree harmonise with the flat roof section of the original dwelling and due to the substantial footprint of the house and additions to be replaced the extension will have a similar impact in this case. The extension will replace multiple disjointed rear elements which appear unsympathetic to the existing property.
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes – it will not cover more than half the total area around the original house.	
not exceed 4 metres in height	Yes – the maximum height including the roof lanterns will be 3.4m.	
not project out more than 4 metres from the rear wall of the original house for detached houses		No – the extension would project 6m however this is considered acceptable as the extension will not project materially further than existing

		development on the rear elevation – this currently projects over 8m.
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters		No – the extension exceeds 3m in length and 2.5m to the eaves. However due to the proposal replacing disjointed elements and having a reduced projection when viewed from public vantage points to the west elevation than existing it is considered acceptable.
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		No – the extension will be built up to the side boundary to the east however the current situation is an 8m rear extension/garage along this boundary. Therefore, this would improve the situation. Furthermore, this boundary is to a pathway and not a neighbouring property.

Design and Visual Amenity:

The application site relates to 5 Stone Acre Heights, a two storey detached property located in the area of Meltham. the site currently benefits from a large garden and driveway leading to a garage to the rear with a small amount of amenity space to the front. This garage is to be removed as part of this application with the planning statement noting that they propose to introduce parking to the front of the property. There is a ginnel that runs to the east of the site that leads to a public footpath MEL/62/10 which runs along the rear of the property.

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	Further comments	✓ / X / N/A

	the Kirklees Local Plan and the NPPF		
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 	<p>Single storey extension located to the rear which will be screened by the original house and not be overtly visible from the public view. To the side where it will be viewed from the ginnel the extension will provide an improved visual situation then the current 8m rear extension/garage in this place.</p> <p>The extension will be constructed from natural stone to match the host property.</p>	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF 	<p>The single-storey rear extension would be constructed from natural stone to match the host property, would not protrude further than existing development to the rear and would be subservient with the host. It will replace multiple disjointed extensions and create a sympathetic design. It is noted that there is an existing flat roof element on the original house and therefore this will not appear out of character.</p>	✓
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 	<p>The highest of the rear extensions already measures 3m in height. It is concluded that the additional height as a result of the roof lanterns that are positioned well within the flat roof will not cause any further significant impact. The proposed extension is</p>	✓

		considered not dissimilar to the scale and massing of the existing rear elements and is therefore considered acceptable.	
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 and simple detailing would harmonise acceptably with the original host and the previous organic additions to it. Given these are annotated upon the submitted plan, on the basis of the inclusion of a condition requiring the development to be undertaken in accordance with the submitted plans it is considered the proposal would be acceptable in this regard.	✓
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 	Flat roof to match that of roof form on the east side elevation.	✓
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 • Chapter 12 of the NPPF 	There will be one window and door in the west elevation and a window and bifolding doors in the south/rear elevation. These are considered visually acceptable as in proportion with the existing property.	✓
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 not change the existing access into / around the property.	✓

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:

The main properties affected are:

- *27 & 29 Thick Hollins – properties located to the east of the application site.*

These properties will be separated from the extension by the ginnel and their amenity spaces having a separation distance of ~6m. The existing situation along this boundary is the 8m rear extension/garage therefore this will be an improved design for these properties. In addition there are no windows facing in the direction of this property and it is proposed to be a 2m high timber fence along the boundary. Therefore, it is considered that these properties will not be significantly impacted in terms of overlooking or overshadowing as a result of the proposal. Furthermore the proposal would have a largely similar impact as the existing in terms of oppressiveness and is not considered to be unduly overbearing in this case given the existing to be replaced.

- *6 Stone Acre Heights – property located to the west of the application site*

impact to this property will be assessed below.

There are no other properties that would be affected by the development. There are no properties located within 35m to the rear and due to the development being to the rear of the property dwellings to the front will not be affected by overlooking or overshadowing.

	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 	There is a window proposed in the west side elevation however this replaces a conservatory in close proximity to this boundary therefore a single window is considered to be an improved situation than existing. This window will also face a blank wall of a large garage at No.6 and therefore privacy will not be significantly impacted.	✓

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 	A separation distance of 1.5m will remain between the extension and the side boundary with No.6. Furthermore, the current extension closest to this boundary has a height of 3m the additional height as a result of the roof lanterns positioned well within the flat roof is not considered to cause any significant overbearing/overshadowing impact	✓
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 	Rear garden would still have a proportionate and useable private rear amenity space given the limited projection of the proposed rear extension.	✓

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 • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	The proposal would not alter the existing arrangement by increasing occupancy levels and subsequently demand for parking.	✓
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 	No additional bedrooms proposed and parking rearranged to the front of the property.	✓

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.	✓
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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	N/A
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	While it is within a bat alert layer, the small scale alteration to the host would not have significant impacts to roosting potential and it would not impact on the roof. It is recommended that a informative be attached to notify the applicant of their responsibilities if any signs of bats or potential to disturb those protected species are found.	✓
Public Right Of Way	<ul style="list-style-type: none"> • Policy LP24 • KDP 1 &17 	Public Right Of Way Footpath (MEL/62/10) is located adjacent to the site. The proposed works are at a separation distance such that they will not affect the PROW	✓

		setting or its users having regard to the existing developments at the site which would be replaced. A note will be attached to the report to ensure this is not impacted upon and the other legal duties on the developers regarding PROW.	
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 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:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
Melham Town Council – No objection raised, state they note the application.	noted	✓

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 that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2025/90147

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 accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1-17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and policies within Chapters 2, 9, 12, 14 and 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: Public footpath MEL/62/10 is located adjacent to the development site and must not be interfered with or obstructed, prior to, during or after development works.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing plans	2406-0201-P01	-	22/01/2025
Existing elevations	2406-0202-P01	-	22/01/2025
Proposed plans	2406-0205-P02	-	22/01/2025
Planning statement	-	-	22/01/2025

Plan Type	Reference	Version	Date Received
Climate change statement	-	-	22/01/2025
Application form	-	-	22/01/2025

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 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. No amended plans were sought.

Report Dated: 31st March 2025