

**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:	2025/62/90175/E
Site Address:	69, Old Bank Road, Mirfield, WF14 0HX
Description:	Erection of single storey front extension
Recommending Officer:	Elenya Jackson

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 31-Mar-2025

OFFICER REPORT

Site Description

69, Old Bank Road, Mirfield, is a two storey, stone fronted end of terrace dwelling which currently benefits from a small amount of amenity space to the front and rear.

The dwelling has a two-storey extension to the rear with a small lean-to projection to the which the bathroom occupies at first floor level. This design is mirrored in properties within the terrace row.

Within the immediate street scene, properties are of similar style and scale which contributes positively to the street scene.

There has been a recent permission on site for a two-storey extension of the rear of the dwelling.

Description of Proposal

This application has been received for erection of a single storey front extension.

The proposal would extend 1.5m beyond the principal elevation of the dwelling, have a width of 5.5m and a height of no more than 4m

Relevant Planning History

2023/93056: Erection of 2 storey rear extension. Conditional full permission

Representations

The application was initially advertised by a site notice which expired 20/03/2025

No comments received

Consultation Responses

N/A

Negotiations

N/A

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.

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
- **LP22**- Parking
- **LP53**- Contaminated and unstable land

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.

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 and beautiful places

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Negotiations
- 7) Conditions
- 8) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

These issues along with other policy considerations will be addressed below.

2 –Impact on visual amenity:

It is considered that the House Extension and Alterations SPD is relevant in this instance as the proposal would be a alterations to existing dwellings.

Key Design Principle 1 of the House Extension & Alterations SPD states 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.

Section 5.2 of the House extension and Alterations SPD refers to front extensions and states that:

Front extensions are highly prominent in the street scene and can erode the character of the area if they are not carefully designed. Large extensions (single and two-storey) and conservatories on the front of an existing house are likely to appear particularly intrusive and will not normally be acceptable. Single storey extensions on the front of a house and two-storey or first floor front extensions are usually unacceptable due to the impact on the character of the area and visual amenity and will not normally be permitted unless:

- The house is set well back from the pavement or is well screened
- The extension is small, subservient to the original building

- Well-designed and would not harm the character of the original house or the area; The materials and design match the existing features of the original house

It is considered that, although the extension would be visible from the public realm, the proposal would have a limited projection and not distract from the host dwelling. Whilst there are no other examples in the terrace of front extensions, the introduction of such a feature will not significantly affect the building line nor the character of the street scene to such a degree to support a reasonable refusal in this instance.

The plans have indicated that the extension is to be finished in a render finish. It is considered that there are no examples of render within the immediate building group of the property and to add render in this location would not be in-keeping with the host dwelling or character of the area. Therefore, officers consider it necessary to condition that the proposal is constructed out of matching materials.

Having taken the above into account, subject to conditions, the proposed development would integrate with the host dwelling and the wider street scene, thus complying with Policy LP24 of the KLP and the aims of Chapter 12 of the NPPF.

3 – 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 Extension & 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.

67 Old Bank Road: is attached to the application as part of the terrace row.
Overlooking: The proposal would not feature any side facing windows.
Overshadowing/loss of light/overbearing: Due to the scale and location of the proposal, it is considered that no significant issues would be raised regarding overshadowing/loss of light or overbearing.

Due to the scale and location of the proposal, there would not be any additional properties impacted by the proposal.

It is considered that the proposal would have an acceptable relationship with the neighbouring properties and their residents thus according with LP 24 of the Kirklees Local Plan, Key Design Principles 3, 5 and 6 of the Kirklees House Extensions and Alterations SPD and guidance contained within Chapter 12 of National Planning Policy Framework

4 – Impact on highway safety:

Parking arrangements on site would be retained.

The proposal would therefore comply with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions and Alterations SPD.

5– Other matters:

Carbon Budget

The proposal is an extension to existing buildings. 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.

6 – Representations:

N/A

7 – Negotiations:

Proposed materials to match the existing property.

8 – 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.

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: 2025/90175

Officer Recommendation: Approve

Conditions and Reasons

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.

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications 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 Policies LP1, LP2, LP24 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

2. Notwithstanding the approved plans, the development shall be constructed with all external facing materials matching the original host dwelling.

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 Policies LP1, LP2, LP24 and LP57 of the Kirklees Local Plan and advice within the National Planning Policy Framework

Plans and specifications schedule:

Plan Type	Reference	Version	E
Location Plan			23/01/2025
Site Plan	23/3		23/01/2025
Proposed plans	23/3/A		23/01/2025
Proposed Section	23/3/B		23/01/2025

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 has, 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.

Officers requested the proposed materials were changed to integrate with the host dwelling. No response was received so officers included a condition on the application, and it was progressed.