

**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:	2025/62/90180/E
Site Address:	Dene Hollow, 20, Cliffe Road, Shepley, Huddersfield, HD8 8DF
Description:	Installation of gable end window (within a Conservation Area)
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.

Danielle Cooper

AUTHORISED OFFICER

Date: 23-Apr-2025

OFFICER REPORT

Site Description

The site in which the application relates to is Dene Hollow, 20, Cliffe Road, Shepley, Huddersfield, HD8 8DF; an end tera detached dwelling, constructed from natural stone and roofed with slate tiles and the boundary is screened by a wall and close board fencing.

The site has previously been granted permission for the installation of a window in the along the gable end elevation and erection of side extensions including an electric gate to the driveway entrance.

Description of Proposal

This application has been submitted for the installation of a gable end window at the first-floor level to serve the hallway. The proposed window will measure approximately 1050mm in width and 1300mm in height, with materials matching the existing structure.

Initially, the application included the formation of a new door and Juliette balcony at the first-floor level along the gable end. However, during the course of the application process, the proposal was revised to the current plan.

History of Negotiations/Amendments Received

Amended plans proposing a gable end window were received.

Relevant Planning History

Planning Ref: 2020/90774

Location: Dene Hollow, 20, Cliffe Road, Shepley, Huddersfield, HD8 8DF

Proposal: Installation of window in gable end (within a Conservation Area)

Decision code: FC

Decision: FC - CONDITIONAL FULL PERMISSION

Decision Date: 2020-07-01

Planning Ref: 2022/91034

Location: Dene Hollow, 20, Cliffe Road, Shepley, Huddersfield, HD8 8DF

Proposal: Demolition of existing garage and erection of extensions and alterations to dwelling including electric gate to drive entrance (within a Conservation Area)

Decision code: FC

Decision: FC - CONDITIONAL FULL PERMISSION

Decision Date: 2022-09-08

Representations

The application was advertised by a site and press notice which expired on the 24th of March 2025.

Four representations were received as a result of publicity. Each of two separate dwellings submitted two representations, resulting in a total of four representations.

1. The objector raises three main concerns regarding the planning application:
 - a. The proposed development is out of character with the existing conservation area.
 - b. The privacy of the objector's property will be compromised, as part of their back garden will be overlooked.
 - c. The assertion that the door and Juliet balcony will not be visible from Cliffe Road is incorrect. An extension of Cliffe Road runs alongside the property, leading to a group of houses, from which the development will be visible.
2. The objector formally opposes the planning application to add an elevated door with clear glass to the gable end of the property. The objector asserts that this addition would impact their privacy by completely overlooking their garden and patio door. They urge that this concern be considered, and the application be refused.
3. The objector opposes the proposed new door and Juliet balcony on the gable end of No. 20 Cliffe Road, Shepley HD88DF. They argue that the elevated position of the door and balcony would directly overlook their garden, intruding on their privacy. Additionally, they contend that the relatively small gable end of No. 20 Cliffe Road makes the addition of a door and Juliet balcony appear inconsistent with the original design of the house.
4. Following their initial objection to the planning request, the objector has provided photographs to demonstrate how the proposed elevated glass door would overlook their property. They state that the door would impact their entire garden space, which is on three levels, as well as their son's downstairs bedroom and their downstairs living area. As a 24-hour carer, the objector emphasises the need to feel at ease in their own home and expresses that the proposed plans have caused considerable stress. Additionally, they believe the plans would negatively affect the value of their property, which they have invested in to ensure privacy. The objector urges careful consideration of their concerns and requests that the planning application be refused.

Consultation Responses

KC Conservation and Design (informal):

- First Consultation - Although the proposed development would be on the side that does not face the main road, it would still be at a high level above a minor road within the Conservation Area, which is contrary to the SPD. The development would be highly visible, but a traditional window would be more appropriate.
- Second Consultation with amended plans – No objections.

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 located within a Conservation Area on the Kirklees Local Plan.

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
- **LP35** - Heritage

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 14 – Meeting the challenge of climate, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

1) Principle of development

- 1) Impact on visual amenity and Character of the Conservation Area
- 1) Impact on residential amenity
- 2) Impact on highway safety
- 3) Other matters
- 4) Representations
- 5) Negotiations
- 6) Conditions
- 7) 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 the 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 planning considerations, including visual and residential amenity, as well as highway safety.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities shall pay special attention to the desirability of preserving or enhancing the appearance of buildings or land within a Conservation Area. Any impact on heritage assets will be given consideration having regard to Policy LP35 of the Kirklees Local Plan, and Chapter 16 of the National Policy Planning Framework.

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

Background:

In 2020, an application was previously granted permission for a gable end window. However, this window would inhabit the existing bedroom, whereas this application proposes a non-inhabitable opening which would serve the hallway.

2 –Impact on Visual Amenity and Historic Environment:

Key Design Principle 1 of the House Extensions & Alterations supplementary planning document (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. Furthermore, Key Design Principle 2 of the HEASPD 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 is situated along the gable end that faces away from the main road. The proposed window is located at first-floor level, opening up the staircase, which is a non-habitable area of the dwelling, and faces the rear amenity area. This addition will enhance the hallway area by allowing more natural light to enter.

Historic Environment

The proposal is for a gable end window, and it is believed that the proposed development will not harm the historic character of the site.

Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 introduces a general duty in respect of listed buildings. In considering whether to grant planning permission for development which affects a listed building or its setting the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. This is reiterated within Policy LP35 of the Local Plan. In this case, it can be stated the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity and highway safety.

The application site is located within the Shepley Conservation Area on the Kirklees Local Plan.

Assessment Against NPPF

Chapter 16: Conserving and Enhancing the Historic Environment

Paragraph 202 states that heritage assets, including conservation areas, should be conserved in a manner appropriate to their significance. The proposed installation of a gable end window at Dene Hollow, 20 Cliffe Road,

Shepley, Huddersfield, HD8 8DF, has been designed to enhance the visual amenity of the property without detrimentally affecting the wider environment.

Paragraph 203 states that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. The proposal aims to enhance the quality and character of the Shepley Conservation Area by adding a window that complements the existing architectural style and materials of the area. This addition is intended to improve the property's functionality and aesthetic appeal while ensuring that the historic environment is preserved and appreciated.

Paragraph 204 states that when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest. The Shepley Conservation Area features traditional stone-built houses, dating back to the 18th and 19th centuries

Paragraph 205 states that local planning authorities should maintain or have access to a historic environment record to assess the significance of heritage assets. The proposal has considered the preservation of the character and amenity of the conservation area.

Paragraph 206 states that local planning authorities should make information about the historic environment publicly accessible. The amended plans provide detailed information about the proposed changes and is summarised below:

The proposed changes at Dene Hollow aim to enhance the external appearance of the property by adding a gable end window at the first-floor level, measuring approximately 1050mm in width and 1300mm in height, with materials matching the existing structure.

These modifications are designed to improve the functionality and visual appeal of the home while respecting the character and significance of the Shepley Conservation Area. The careful consideration given to preserving the area's historic and architectural integrity ensures that the proposals will have a neutral impact, maintaining the overall quality and character of the conservation area.

In determining applications, **Paragraph 207** states that local planning authorities should require an applicant to describe the significance of any heritage assets affected.

Based on the assessment against the NPPF paragraphs, the proposed gable end window is considered to have a neutral impact on the Shepley Conservation Area. The design aims to enhance the visual amenity of the property without causing harm to the character or significance of the conservation area. Therefore, the proposal does not require any public benefit to justify the changes.

Key Design Principle 1 of the House Extension & Alteration supplementary planning document (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. Furthermore, Key Design Principle 2 of the HESPD 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.

Having taken the above into account, the proposed extension 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.

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 Extensions and Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

Impact on 1 Cliffe Park:

Number 1 Cliffe Park is located to the east of the application site. The proposed gable end window faces the amenity area of the application site and is oriented towards the north-east. The window is situated 18.45 metres away from the shared boundary with Number 1 Cliffe Park. Given that the window is part of a non-inhabitable area of the dwelling, concerns regarding privacy are mitigated. The distance and orientation of the window ensure that there is minimal impact on the residential amenity of the occupants of Number 1 Cliffe Park, in line with Key Design Principle 3 on privacy.

Impact on 22-32 Cliffe Road

Properties numbered 22-32 Cliffe Road are located to the rear of the application site, parallel to the rear elevation and boundary. The proposed development does not raise any concerns regarding overshadowing, loss of light, overbearing impact, or outdoor space. The orientation and distance of the development relative to these properties ensure compliance with Key Design Principles 5, 6, and 7, thereby maintaining the residential amenity of the occupants.

The proposed development at the application site has been assessed in relation to the impact on the residential amenity of neighbouring occupants. The design and orientation of the proposed gable end window, along with the distance from neighbouring properties, ensure that privacy concerns are

mitigated and there is no significant impact on overshadowing, loss of light, overbearing impact, or outdoor space. The development complies with policy LP24 c) and the relevant Key Design Principles set out in the House Extensions and Alterations SPD.

4 – Impact on highway safety:

The proposals would result in some intensification of the domestic use of the property. The proposal will not impact highway safety.

Therefore, the proposal 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 and Alterations SPD.

5– Other matters:

Carbon Budget

The proposal is a 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.

6 – Representations:

The officer's response below addresses the concerns and objections raised by the objectors regarding the proposed development at the application site. The proposal has been amended from a door and Juliet balcony to a gable end window. Each representation will be addressed individually to mitigate the concerns raised.

Officer's Response:

1. Representation 1

a. **Character of the Conservation Area:** The proposed gable end window has been designed to be in keeping with the character of the existing conservation area. The materials and style of the window have been carefully selected to complement the surrounding properties, ensuring that the historical and aesthetic value of the area is preserved.

b. **Privacy Concerns:** The proposed gable end window is part of a non-inhabitable area of the dwelling and is situated 18.45 metres away from the shared boundary with the objector's property. This distance, combined with the orientation of the window, ensures that there is no direct overlooking of the objector's back garden, thereby mitigating privacy concerns.

c. **Visibility from Cliffe Road:** While the objector asserts that the gable end window will be visible from an extension of Cliffe Road, the design and placement of the window have been carefully considered to minimise its visual impact. The window is designed to blend with the existing structure, ensuring it does not create an overbearing presence or significantly alter the visual landscape when viewed from Cliffe Road or the extension leading to the group of houses.

2. Representation 2

The objector's concerns regarding the elevated door with clear glass have been addressed by amending the proposal to a gable end window. The window is designed to minimise any impact on the privacy of neighbouring properties. The distance and orientation of the window ensure that there is no direct overlooking of the objector's garden and patio door, thereby addressing the privacy concerns raised.

3. Representation 3

The proposed new door and Juliet balcony on the gable end of Dene Hollow, 20 Cliffe Road have been replaced with a gable end window. The window's design and placement ensure that it does not directly overlook the objector's garden, thereby mitigating privacy concerns. Additionally, the window is designed to be consistent with the original design of the house, ensuring it does not appear out of character with the existing structure.

4. Representation 4

The objector's concerns regarding the elevated glass door overlooking their property have been addressed by amending the proposal to a gable end window. It is also noted that the window will provide light into a hallway and not a habitable room. The strategic placement of the window ensures that it does not impact the objector's garden space, the downstairs bedroom, or their downstairs living area. The design changes aim to alleviate the stress caused by the initial proposal and ensure that the objector's privacy and property value are maintained.

The proposed development at the application site has been amended to a gable end window to address the concerns and objections raised by the objectors. The replacement of the door and Juliet balcony with a window ensures that the development is in keeping with the character of the conservation area, preserves privacy, and minimises visual impact. The development complies with policy LP24 c) and the relevant Key Design Principles set out in the House Extensions and Alterations SPD. Therefore, it is recommended that the planning application be approved.

6 – Negotiations:

Amended plans replacing the door and Juliette balcony with a window.

7 – Conclusion:

This application for the erection of an outbuilding at Dene Hollow, 20, Cliffe Road, Shepley, Huddersfield, HD8 8DF has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations.

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: 2025/90180

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.

1. 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 and Alterations SPD and the aims of the National Planning Policy Framework.

2. The external walling materials shall match those used in 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 and

Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Date Received
Grouped Plans and Elevations	amended plans and elevations	17-Apr-2025
Grouped Plans and Elevations	amended plans and elevations	17-Apr-2025
Location	01	31-Jan-2025
General	CCS	31-Jan-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.

Report Date: 22/04/2025