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:	**2025/62/90192/W**
Site Address:	1a, Highroyd, Lepton, Huddersfield, HD8 0EB
Description:	Erection of single storey extension
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.

Emma Thompson

AUTHORISED OFFICER

Date: 16-Apr-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/90192
Location	1a, Highroyd, Lepton, Huddersfield, HD8 0EB
Proposal	Erection of single storey extension
Publicity end date	3rd April 2025
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	Bat Alert, 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	✓	

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 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	No	N/A
Parish/Town Council comments sought (Kirkburton)	No	N/A
Planning History	Yes	**Planning Ref:** 2014/93710

		Location: adj 1 Highroyd, Lepton, Huddersfield, HD8 0EB **Proposal:** Erection of 2 dwellings and demolition of existing building **Decision code:** W **Decision:** W - WITHDRAWN **Decision Date:** 2015-01-07 **Planning Ref:** 2015/93760 **Location:** adj 1, Highroyd, Lepton, Huddersfield, HD8 0EB **Proposal:** Erection of 2 dwellings and demolition of existing building **Decision code:** RF **Decision:** RF - REFUSED **Decision Date:** 2016-01-20 **Planning Ref:** 2016/94065 **Location:** Land adj, 1, Highroyd, Lepton, Huddersfield, HD8 0EB **Proposal:** Erection of detached dwelling with associated first floor carer's annexe **Decision code:** FC **Decision:** FC - CONDITIONAL FULL PERMISSION **Decision Date:** 2017-03-15 **Planning Ref:** 2018/93429 **Location:** Land adj, 1, Highroyd, Lepton, Huddersfield, HD8 0EB **App Type:** 44 - DISCHARGE OF CONDITIONS **Proposal:** Discharge condition 3 (materials) on previous permission 2016/94065 for erection of detached dwelling with associated first floor carer's annexe **Decision code:** DCA **Decision:** DCA - DISCHARGE OF CONDITION(S) APPROVED **Decision Date:** 2018-10-19 **Planning Ref:** 2022/93473 **Location:** adj 1, Highroyd, Lepton, Huddersfield, HD8 0EB **App Type:** 44 - DISCHARGE OF CONDITIONS **Proposal:** Discharge of condition 3 (materials) on previous permission

		2016/94065 for erection of detached dwelling with associated first floor carer's annexe **Decision code:** DCA **Decision:** DCA - DISCHARGE OF CONDITION(S) APPROVED **Decision Date:** 2022-12-15
Consultations required	No	N/A

Assessment

The Kirklees SPD sets out 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:	**Yes - COMPLY**	**No - JUSTIFY**
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 – materials to match.	
not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.	Due to the single-storey and detached nature and the orientation of the applicant site in relation to neighbouring properties, the proposed extension will not overshadow neighbouring properties. Due to the modest scale of the proposed extension, there will be no impact on the loss of outlook of neighbouring properties.	

The Kirklees SPD sets out 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:	**Yes - COMPLY**	**No - JUSTIFY**
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 matching materials and architectural features, ensuring it blends seamlessly with the existing structure.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings);	Yes – The extension does not cover more than half the total area around the original house and projects out by 3.5m.	
not exceed 4 metres in height;	The extension has an eaves height of 2.3m and has a lean-to roof.	
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;	Yes – the extension projects out by 3.5m	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and	Yes – extension has an eaves height of 2.3m.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.	Yes – there is significant distance between the proposal and boundaries.	

Raised Decking

The decking would be constructed approximately 0.3m above the level of the original garden and would have a maximum projection of 6 metres and would span 5 metres along the rear boundary. Whilst the decking is relatively substantial in size, given the position to the rear of the dwelling together with the size of the site, with amenity space being retained to the front and rear of the dwelling, the decking is considered to be acceptable in terms of visual amenity. It would not take a substantial area of the raised rear garden.

Design and Visual Amenity: Are the considerations in the following table acceptable?

Summary of local street scene/character:

The site to which this application relates is 1a, Highroyd, Lepton, Huddersfield, HD8 0EB. It consists of a detached two-storey dwelling, constructed from artificial stone and roofed in slate tiles. The property benefits from a large driveway and garage to the front. The site is situated within a residential area and the rear is enclosed by close board fencing. The site and its surrounding area are wholly residential characterised by dwellings of the same characteristics.

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	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	The extension is generally modest in scale and the proposed development would not appear overly prominent. The proposed development would be located to the rear of the property and will not impact the character or street scene across the frontage of the property.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The original property would remain the dominant feature.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP	As above. The extension would project across the rear of the property and is single storey.	✓

	• Chapter 12 of the NPPF		
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Facing materials to match.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Lean-to roof style – acceptable as it is in-keeping with the original roof style of the host property.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Modest size windows in rear extension, including roof lights, which would be in-keeping with existing building.	✓
Accessibility for all users	• KDP 17of 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:

- 1- 4 Highroyd – The single storey rear extension is situated away from the shared boundary and will not overshadow this property or its garden space, therefore there will be no impact in terms of loss of lights, outlook and overshadowing/overbearing.

- 26 & 28 Ings Way East – these properties are located to the rear of the application site. Given the significant distance between the rear elevation and the boundary of these properties, it is considered that there shall be no impact in terms of loss of lights, outlook and

overshadowing/overbearing. The raised decking will have no impact on these properties.

- 107, 113, 115 & 117 Highgate Lane – single storey rear extension is situated away from the shared boundary and will not overshadow this property or its garden space, therefore there will be no impact in terms of loss of lights, outlook and overshadowing/overbearing.

- Lower Croft Barn – The proposed development is located to the rear of the application site and will therefore not impact this property.

Justification Statement in Support of the Proposed Single Storey Rear Extension (Orangery) and Raised Decking

The proposed development at 1a Highroyd, Lepton comprises the erection of a modest single-storey rear extension (orangery) and the addition of raised decking. This statement supports the approval of the proposal, demonstrating compliance with the National Planning Policy Framework (NPPF), the Kirklees Local Plan, and the House Extensions and Alterations Supplementary Planning Document (SPD), whilst also addressing conditions imposed on the earlier planning permission (ref: 2016/62/94065/W).

Context and Compliance with Policy

The orangery is positioned over 2 metres from both the side elevations of the dwelling and the site boundary, reducing any potential impact on neighbouring amenity. The extension is designed to remain subservient to the host dwelling, with a 3.5m rear projection, an eaves height of 2.3m, and materials to match the existing property. These details fully comply with Policies LP24 and LP1 of the Kirklees Local Plan and the guidance within Chapter 12 of the NPPF, which emphasises high-quality design and local character.

The raised decking element is 0.3m in height, extends 6m rearward, and spans 5m along the boundary. Given the site's generous garden area and the retention of amenity space, the development is in accordance with SPD Key Design Principle 7 and Policy LP24 of the Kirklees Local Plan.

Addressing Conditions of original permission

Condition 4 (No Side Elevation Openings)

This condition restricts additional openings in the side elevations of the original dwelling as approved under the previous application (2016/62/94065/W), primarily to protect neighbour privacy. While the orangery does propose side windows, several key mitigating factors apply:

The extension is not part of the original dwelling but a separate rear addition located in an area already used as amenity space.

The site benefits from existing close board fencing and established boundary vegetation, including tall hedging, which offers substantial visual screening.

The orientation and distances to neighbouring properties further reduce the potential for overlooking or loss of privacy.

In this context, the inclusion of windows along the side elevations of the extension is considered reasonable and will not materially harm neighbouring amenity. It is therefore justifiable to allow these windows in accordance with SPD Key Design Principle 3 and Policy LP24(d)(iv).

Condition 8 (Culvert Protection Zone)

The proposal respects the 2.5m buffer zone either side of any culvert that may cross the site. No development is proposed within this zone, and no raised ground levels are introduced that could compromise access to underground infrastructure. The development therefore remains in accordance with Policy D2 of the Kirklees Unitary Development Plan and relevant conditions from the original permission.

Condition 9 (No Further Extensions Within Red Line Boundary)

The proposed extension is expressly authorised under the current application (2025/90192) and has been fully assessed under the terms of current policy, including the Kirklees SPD. It represents a proportionate and sustainable addition to the property. No breach of this condition arises, and the proposal does not lead to overdevelopment of the site.

	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)	• 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)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	As above.	✓

Remaining garden space of application property	• 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	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	Parking is predominantly provided on-street and in curtilage, which remains acceptable due to the location of this property and the neighbouring houses – off the main through-fare.	✓
Parking provision	• 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	• 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	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	N/A	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	N/A	✓
Carbon Budget / Climate change statement	• 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	• 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:

No representations received.

Conclusion:

The proposed orangery and raised decking have been sensitively designed to comply with the Kirklees House Extensions and Alterations SPD, relevant Local Plan policies, and the NPPF. The design respects the character of the host dwelling and surroundings, preserves the privacy and amenity of neighbours, and adheres to the spirit of conditions imposed under the earlier planning consent.

The inclusion of side windows is justifiably mitigated through existing boundary treatments and orientation as well as the location and existing use of the amenity space. The proposal therefore constitutes sustainable development and merits approval in accordance with the development plan.

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: 2025/90192
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, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 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 in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans & Elevations	Proposed		24-Feb-2025
Existing Elevations	005 rev D		24-Feb-2025
Existing Floor Plans	004 rev D		24-Feb-2025
Proposed Elevations	001 rev D		24-Feb-2025
Grouped Plans & Elevations	001D - Proposed		24-Feb-2025
Location Plan	-		24-Feb-2025
General	CCS		24-Feb-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. It was not considered necessary to seek any amendments/further information during the course of this application.
Report Dated: 14/04/2025