

**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:	2025/62/90193/W
Site Address:	28, Sharp Lane, Almondbury, Huddersfield, HD4 6SW
Description:	Demolition of existing rear extension and erection of rear extension with first floor gable extension and associated alterations (within a Conservation Area)
Recommending Officer:	Joanna Rednall

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 25-Mar-2025

The Site

28, Sharp Lane is a two-storey semi-detached dwelling located in Almondbury, Huddersfield. The building is finished in natural stone with a pitched blue slate roof incorporated above, and benefits from amenity space to the front and rear.

The site is designated Green Belt on the Kirklees Local Plan and is located within Almondbury Conservation Area. The building is not listed however there are Grade II Listed Buildings ~8 metres west of the site and north-east of the site. PROW HUD/155/20 runs along the side and rear of the site.

The Proposal

The applicant is seeking planning permission for demolition of existing rear extension and erection of rear extension with first floor gable extension and associated alterations (within a Conservation Area).

The proposed rear extension would project ~ 2.1 meters from the rear elevation and span ~ 4.1 meters in width. The eaves height would be ~ 2.9 meters, with the total height reaching ~ 4 meters at the ridge of the lean-to roof. Three roof lights would be incorporated into the lean-to roof.

The first-floor gable extension would extend from the existing rear outshot, measuring ~ 3.8 meters in length, ~2.3 meters in depth, and ~4.3 meters at the eaves. The ridge height of this extension would be ~ 6.4 meters. The extension would maintain and continue the existing gable roof form of the current rear outshot.

The extensions would be constructed from natural stone and the roofs would be finished in blue slates. The proposed windows and doors would be constructed from timber.

A new external staircase ~2 metres in height is proposed to provide access to the existing raised decking to the rear of the dwelling. A section of the retaining wall would be removed to facilitate the steps.

History of Negotiations

Officers sought additional information to show the raised terrace to the rear and elevations of the proposed steps.

Planning History

There is no planning history for the site which is considered relevant to the current proposal.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice and a press notice. Final publicity date expired: 21st March 2025

One representation was received as a result of the publicity. The amended plans were not re-publicised as they did not fundamentally change the development applied for.

Letters of objection

- The plans do not show the boundary line between 24 and 28 Sharp Lane
Officer note: Amended plans have been provided showing the boundary line between No.'s 24 and 28.
- Loss of privacy and overshadowing
Officer note: The impact upon residential amenity has been assessed under section 3 of this report.

Consultations

KC Conservation and Design (informal): The proposal is acceptable from a Conservation perspective subject to conditions.

Allocation & Policies

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).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP35 Historic Environment
- LP57 The extension, alteration or replacement of existing buildings

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, 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. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt Land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon visual amenity
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that "good design should be at the core of all proposals in the district".

Green Belt -land allocation

The application site is located within the Green Belt. As such the proposal falls to be assessed against Chapter 13 of the NPPF. Chapter 13 of the NPPF requires Local Planning Authorities to regard the construction of new buildings as inappropriate development. Exceptions to this include the extension and alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building.

The exemption listed above, set out under paragraph 154(c), could be applicable in this case, provided that the extension / alteration does not result in disproportionate additions over and above the size of the original building.

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt, the most relevant in this case being to assist in safeguarding the countryside from encroachment.

Policy LP57 of the Kirklees Local Plan relates to the extension, alteration or replacement of existing buildings. Noting that:

- a) in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;
- b) in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing;
- c) the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and
- d) the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting'.

A review of historic mapping and planning records has been conducted. While there is no formal planning history for the site, aerial imagery held by the Council indicates that the dwelling appears to have previously benefited from historic rear extensions. An assessment is therefore required as to whether the cumulative impact of the extensions would constitute a disproportionate addition over and above the size of the original building.

Although no volume calculations have been provided, officers acknowledge that assessing whether an addition is disproportionate cannot be made purely in a mathematical way by reference to size when measured in floor space, volume or mass, as the appearance and visual impact of proposed additions are an important part of a proper evaluation. In this instance weight is given to the effect of the proposal on the openness of the Green Belt and on the character and appearance of the area.

The scale of extensions would visually appear relatively modest in the context of the host property and the first-floor extension would maintain the dwellings linear form. The roof is set well down from the host property and all materials facing the extensions would match those used on the host property to create a subservient appearance that are in keeping with the semi-rural setting. Due to the typography of the site where land levels increase to the rear, the small-scale of the rear extension would be embedded into the typography of the land which would limit its impact on openness and would visually appear proportionate to the original dwelling in this case. The development would result in additional built form to the rear of the dwelling which would clearly read as an extension to the dwellinghouse, as such it is considered the quantum of development would leave the original building the dominant element in terms of size and overall appearance.

Further to the above and in relation to Policy LP57, given that the proposal is considered to constitute a proportionate addition to 28, Sharp Lane, and no additional hardstanding appears to be proposed, it is not considered that the proposal would cause greater harm to the openness than existing development. In addition, as will be discussed below in the visual amenity section, the design of the proposal is also considered to be acceptable within this Green Belt setting. The proposal is therefore considered to be in accordance with Policy LP57 of the Kirklees Local Plan.

2 – Impact upon visual amenity (including impact upon designated Heritage asset)

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Section 5.1 of the Council's SPD relates to rear extensions and paragraphs 5.1 and 5.2 provide the following guidance:

5.1 Rear extensions should maintain the quality of the residential environment and relate well to the neighbouring buildings. Rear extensions should generally not be visible from the street and should retain a reasonable living environment for the property being extended. This should include consideration of the following:

- *Preserving a back garden of a reasonable size, with a general principle that at least half the garden area is retained;*
- *Being set behind the original building, and not projecting beyond the sides; and*
- *Maintaining external access to the rear garden.*

5.2 As a general rule, a rear extension should:

- *respect the original house and garden in terms of its size and scale;*
- *use appropriate materials which match or are similar in appearance to the original house; and*
- *not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.*

Paragraph 5.6 relates specifically to single storey rear extensions:

5.6 Single storey extensions should:

- *be in keeping with the scale and style of the original house;*
- *not normally cover more than half the total area around the original house (including previous extensions and outbuildings);*
- *not exceed 4 metres in height;*
- *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;*
- *where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and*
- *retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.*

28 Sharp Lane is within the Almondbury Conservation Area and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 needs to be

considered which places a duty on LPAs to protect and enhance conservation areas, including their setting. Policy LP35 of the Local Plan is also relevant which requires that proposals that impact on heritage assets seek protect the historic environment including their setting. Consideration should be given to the need to ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets.

The Council's Conservation and Design Officer has been informally consulted as part of this application. KC Conservation consider that the proposal would not cause harm to the Conservation Area or the setting of nearby Listed Buildings due to the design and scale of the proposal. To ensure the development is in keeping with the character of the Conservation Area, officers have recommended that the proposed materials be conditioned to match those of the host dwelling, and that the rooflights be conditioned to be of a conservation-style design.

Visually, the proposed extensions would be subservient when viewed in conjunction with the host dwelling due to their simple form. The lean-to roofing style will also contribute to further reducing any undue bulking and massing to the rear of the dwelling from the erection of the proposed extension. Additionally, the proposed construction material of stone for the external walls would harmonise well with the appearance of the host dwelling and the proposed fenestration would be residential in style and constructed from timber to match openings on the host property.

The single-storey extension would be integrated into the site's topography, partially screened from public vantage points to the side and rear. The rear extension is positioned away from the side elevation, partially obscured by the existing footprint of the host dwelling, and set a considerable distance from the rear boundary. As a result, the development would have no impact on the adjacent PROW.

With regard to the first-floor extension, this extension would continue the linear form of the existing outshot and is constructed using matching materials. The roof is set well down from the original house and would not over-dominate the site or compete with the main dwelling. This element would be more visible than the rear extension and would be elevated above the topography of the rear garden. However, it is set in from the side elevations of the host and the extension would retain the design and materials used on the host dwelling.

It is therefore considered that in terms of visual amenity, the proposed extensions would comply with Policy LP24 and LP35 of the Kirklees Local Plan,

the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

The single-storey extension would project and obstruct access to the existing steps that lead to the raised terrace at the rear of the dwelling. A review of aerial imagery suggests that the decking was likely completed between 2018 and 2021. Based on this timeframe, officers believe the raised decking has likely become lawful through the passage of time. The new staircase is sited to the centre of the decking and would provide a new access to this raised area. The steps would be below the raised decking with limited views from public vantage points and would have an acceptable visual impact.

For these reasons, it can be concluded that the proposed works will harmonise with the dwellinghouse and existing features and be of a simple form that will not compete with the principal dwelling. Therefore, the proposed works at 28 Sharp Lane would be in keeping with the aesthetic appearance of the surrounding area both spatially and visually and therefore, adhere to the appearance of the Almondbury Conservation Area and greenbelt land. In turn, appropriately according with Policies LP35 and LP24 of the Local Plan and Chapter 12 of the NPPF.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”*.
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”*.

- Principle 6 – that: “*extensions and alterations should not unduly reduce the outlook from a neighbouring property.*”

The properties potentially affected by the proposed development are those which directly neighbour the site, these being:

24, Sharp Lane – adjoining neighbour to the east.

The majority of the development is located to the west of the site, well away from the common boundary. Regarding potential overlooking, no windows are proposed on the side elevations, and the first-floor extension is screened by the existing dwelling. The proposed steps would be positioned centrally on the raised decking and would not extend above the existing level of the deck. These steps would serve a new access route and are not considered to cause significant overlooking or result in an undue loss of privacy to occupants of No. 24.

In terms of overshadowing/ loss of light, there would be some bulk and massing brought closer to No.24. However, the first floor element which at its very highest point is restricted to 6.4 metres and would be screened by the existing first-floor projection. This arrangement would therefore reduce the potential for any detrimental overshadowing or overbearing impact to occur from the first-floor element. The single storey element is set away from the common boundary by ~6.5 metres and is limited in height which will aid in mitigating against any undue impacts of overshadowing/ overbearing or loss of light to occupiers of No.24.

Overall, it has been considered that there would be no significant impact upon these neighbours’ amenity, due to the siting and scale of the development proposed. As such, any overbearing, overshadowing and overlooking can be supported.

32, Sharp Lane – located west of the application site

This neighbour is separated by the application site by a distance of ~17 metres, a PROW, and existing boundary treatments, and there are no windows proposed to the side elevations that could overlook this neighbour. Therefore, the proposed development is considered to have an acceptable impact upon the amenity of occupiers of No.32.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

The proposed development would not increase the number of bedrooms on site, and it is considered the number of occupants within the dwelling would remain as existing. With this being the case, proposed parking arrangements are considered to be acceptable. The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

Climate Change

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 pre-dates 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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

6 – Representations:

- The plans do not show the boundary line between 24 and 28 Sharp Lane
Officer note: Amended plans have been provided showing the boundary line between No.'s 24 and 28.
- Loss of privacy and overshadowing
Officer note: The impact upon residential amenity has been assessed under section 3 of this report.

7 – 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

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/90193

Officer Recommendation: Approve

Conditions

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 (as amended).

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 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

2. 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 & LP35 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.

3. The rooflights hereby approved shall be Conservation style or similar and fitted flush to the roof plane. Glazing shall have a thickness of no more than 16mm at 4:8:4 ratio. The rooflights approved by this condition shall be retained thereafter.

Reason: In the interest of preserving the heritage value of the Conservation area, in accordance with the requirements of Policy LP35 of the Kirklees Local Plan Chapters 2, 12 and 16 of the National Planning

Policy Framework and pursuant to the requirements of S16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	24/1105/01a	-	31/01/2025
Existing Block Plan	24/1105/02b	Rev B	06/03/2025
General Arrangement as Existing	24/1105/03a	Rev A	06/03/2025
Proposed Block Plan	24/1105/05b	Rev B	06/03/2025
General Arrangement as Proposed	24/1105/04a	Rev A	06/03/2025
Heritage Impact Assessment dated December 2024	24/1105	-	30/01/2025
Application form	-	-	30/01/2025
Climate Change Statement	-	-	30/01/2025

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 2024 and otherwise actively engaged with the applicant in dealing with the application. Officers sought additional information to show the raised terrace to the rear and elevations of the proposed steps.

Report Dated: 24/03/2025

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