

**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:	2025/62/90203/E
Site Address:	73, Burnley's Mill Road, Gomersal, Cleckheaton, BD19 4PH
Description:	Erection of single storey rear 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.

John Holmes

AUTHORISED OFFICER

Date: 01-Apr-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/90203
Location	73, Burnley's Mill Road, Gomersal, Cleckheaton, BD19 4PH
Proposal	Erection of single storey rear extension
Publicity end date	24 th March 2025
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	UNALLOCATED
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	No	N/A
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:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
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 – to match existing	
not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.	Due to the single-storey nature of the applicant site, 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:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>

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 similar 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	
not exceed 4 metres in height;	Yes – The extension does not exceed 4m in height. The eaves height of 2.3m is within the permissible limit, ensuring the structure remains unobtrusive and does not overshadow neighbouring properties.	
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 – Extension projects out by 3m	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and	Extension does not exceed these limits.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.		No – the extension does not retain a gap along the south east boundary, however, this reflects the design of the dwelling which is constructed up to this boundary.

Design and Visual Amenity:

Summary of local street scene/character:

The site to which this application relates is 73, Burnley's Mill Road, Gomersal, Cleckheaton, BD19 4PH. It consists of a two-storey stone built detached

property. The property benefits from an open amenity/driveway to the front rear. 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<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 	As above. The extension would project across the rear of the property and is single storey.	✓
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 to match existing. Condition recommended.	✓

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 	Lean-to roof style – acceptable as it is in-keeping with the original roof style of the host property.	✓
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 	Modest size windows in rear extension, including roof lights, which would be in-keeping with existing building.	✓
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 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:

- 71 Burnley's Mill Road – the single storey rear extension is situated away from the shared boundary and will not lead to significant overshadowing of this property or its garden space. Due to the height/scale, there will be no impact on the first floor. No/limited impact to number 71, extension is designed to ensure privacy to neighbours and will not produce conflict relating to light and outlook.
- 75 Burnley's Mill Road – this property is the neighbouring property closest to the proposed extension. The proposed single-storey rear extension, projecting 3 metres with an eaves height of 2.3 metres and designed with a lean-to roof, will have minimal impact on number 75. The opening closest to the boundary is considered non-habitable and therefore there will be no impact in terms of loss of lights, outlook and overshadowing/overbearing.
- 77 Burnley's Mill Road – This property is situated to the rear of the applicant's site. Whilst the extension faces the rear amenity area of number 77, a fence provides screening. Consequently, the outlook will

remain consistent with the existing view.

Due to the position of the extension, there would be no significant impact to the properties located to the rear. There are no properties located at the front.

	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 	Acceptable for the reasons set out above.	✓
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 	As above.	✓
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 	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	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP 	Parking is predominantly provided on-street and in curtilage, which remains acceptable due to the location of this property and the neighbouring	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 	houses – off the main through-fare.	
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 	Maintains appropriate access and off-street in-curtilage parking.	✓
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.	✓

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:

	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	✓
Impact on ecology	<ul style="list-style-type: none"> KDP 12 of the SPD Policy LP30 Chapter 15 of the NPPF 	N/A	✓
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	✓

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
Proposed Plans and Elevations	P200 REV A -		25-Feb-2025
Location and Proposed Site Plan	P500 rev A		06-Feb-2025
Existing Plans and Elevations	P100		27-JAN-2025
Climate Change Statement	CSS		06-Feb-2025
Application Form			27-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 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.

Report Dated:

25/03/2025

