

**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:	<b>2025/62/90290/E</b>
Site Address:	16, St Mary's Avenue, Staincliffe, Batley, WF17 7AP
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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date: 11-Apr-2025**

## HOUSEHOLDER DELEGATED REPORT

<b>Application Number</b>	2025/90290
<b>Location</b>	16, St Mary's Avenue, Staincliffe, Batley, WF17 7AP
<b>Proposal</b>	Erection of single storey rear extension and associated alterations
<b>Publicity end date</b>	24 <sup>th</sup> March 2025
<b>Number of representations received</b>	None.
<b>Kirklees Local Plan Allocation/Designation</b>	UNALLOCATED, LB Airport Consult - area 1, DEVELOPMENT_LOW_RISK_AREA
<b>Extension to Time (EoT)</b>	<b>No</b>
<b>Recommendation</b>	Conditional Full Permission

	<b>NO</b>	<b>YES</b>
<b>Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)</b>	✓	
<b>Contrary to previous decision</b>	✓	
<b>Called in by Ward Member</b>	✓	
<b>Significant number of representations received</b>	✓	

### 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

	<b>YES / NO</b>	<b>SUMMARY</b>
Negotiations/Amendments during course of application	No	N/A

Parish/Town Council comments sought  (Kirkburton)	No	N/A
Planning History	Yes	2004/92054 - Erection of two storey and single storey extensions - Refused  2005/92585 - Erection of 2 storey & single storey extensions - Conditional Full Permission  2006/91583 - Erection of two storey side and rear extension - Conditional Full Permission
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:

<b>Rear Extensions Should:</b>	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>
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. 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.	
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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:

<b>Single storey extensions should:</b>	<b><u>Yes - COMPLY</u></b>	<b><u>No - JUSTIFY</u></b>
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. Extension is an infill extension and 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.  The extension also sees the eaves height of the existing utility room increase by 0.52m and overall height increase by approximately 0.2m to be in line with the infill extension.	
not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4	Yes – extension projects out by 1.9m and has a width of 2.3m	

metres for detached properties;		
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 west boundary, however, the properties are detached and the closest element of the neighbour is the detached garage.

**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 16, St Mary's Avenue, Staincliffe, Batley. It consists of a two-storey red brick built detached property. The property benefits from an open amenity/driveway to the front and enclosed 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.

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on the Local character and street scene	<ul style="list-style-type: none"> <li>• KDP1 of the SPD</li> <li>• Policy LP24 Design (a) and (c) of the KLP</li> <li>• Chapter 12 NPPF</li> </ul>	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"> <li>• KDP2 of the SPD</li> <li>• Policy LP24 Design (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	The original property would remain the dominant feature.	✓
Height, scale and massing	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	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"> <li>• KDP 9 of the SPD</li> <li>• Policy LP24 Design (d) (iii) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Facing materials to match existing.	✓
Roof style	<ul style="list-style-type: none"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Pitched 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"> <li>• KDP 1 and 2 of the SPD</li> <li>• Policy LP24 Design (a), (c) and (d) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Utility replaces two separate windows with one larger window, which would be in-keeping with existing building. Windows considered acceptable as the internal space is inhabitable and replaces the existing.	✓
Accessibility for all users	<ul style="list-style-type: none"> <li>• KDP 17 of the SPD</li> <li>• Policy LP24 Design (f)</li> <li>• Chapter 12 of the NPPF</li> </ul>	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:*

- 14 St Mary's Avenue – the single storey rear extension is situated away from the shared boundary and will not overshadow 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 14, extension is designed to ensure privacy to neighbours and will not produce conflict relating to light and outlook.
- 18 St Mary's Avenue – the infill extension is located along the shared boundary, given that the dwelling is over 2m away from the shared boundary and there is an existing garage located along the shared boundary, it is considered there will be no impact on this property.
- 7 & 9 St Mary's Avenue – located across the front of the application site. Since the proposed works are situated at the rear of the property, there will be no impact on number 7 and 9.
- 10 Suffolk Avenue – this property is located behind the application site. This property shall not see the infill extension but shall see a slight increase in the eaves and overall height of the existing utility room. As such, it is considered there will be no impact on this property.
- Due to the position of the extension, there would be no impact to the properties located to the rear.

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on privacy of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> <li>• KDP 3 &amp; 4 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	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"> <li>• KDP 4, 5, 6 of the SPD</li> <li>• Policy LP24 Design (b)</li> <li>• Chapter 12 of the NPPF</li> </ul>	As above.	✓

Remaining garden space of application property	<ul style="list-style-type: none"> <li>• KDP 7 of the SPD</li> <li>• Policy LP24 Design (b) and (c)</li> <li>• Chapter 12 of the NPPF</li> </ul>	As above.	✓
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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?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on highway safety	<ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	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	<ul style="list-style-type: none"> <li>• KDP 15 of the SPD</li> <li>• Policy LP22 Parking (f) of the KLP</li> <li>• Chapter 12 of the NPPF</li> </ul>	Maintains appropriate access and off-street in-curtilage parking.	✓
Provision for waste storage	<ul style="list-style-type: none"> <li>• KDP 16 of the SPD</li> <li>• Policy LP24 Design (d) (iv)</li> <li>• Chapter 12 of the NPPF</li> </ul>	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?

	<b>Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF</b>	<b>Further comments</b>	<b>✓ / X / N/A</b>
Impact on trees	<ul style="list-style-type: none"> <li>• KDP 13 of the SPD</li> <li>• Policy LP24 Design (d) (i) (iv) Policy LP33 Trees</li> <li>• Chapter 12 of the NPPF</li> </ul>	N/A	✓
Impact on ecology	<ul style="list-style-type: none"> <li>• KDP 12 of the SPD</li> <li>• Policy LP30</li> <li>• Chapter 15 of the NPPF</li> </ul>	N/A	✓
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> <li>• KDP 8, 9, 10 &amp; 11 of the SPD</li> <li>• Policy LP51</li> <li>• Chapter 14 of the NPPF</li> </ul>	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	<ul style="list-style-type: none"> <li>• KDP 14 of the SPD</li> <li>• Policy LP24 (d) (vii), LP27 and LP34 of the KLP</li> </ul>	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:



<b>Plan Type</b>	<b>Version</b>	<b>Date Received</b>
Proposed Plans and Elevations	-	04-Feb-2025
Climate Change Statement	-	04-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:**

09/04/2025