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:	**2025/62/90378/W**
Site Address:	5, Ing Head, off Banks Road Linthwaite, Huddersfield, HD7 5LP
Description:	Erection of two storey extension to side and associated works (Listed Building)
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.

John Holmes

AUTHORISED OFFICER

Date: 12-May-2025

The Site

5 Ings Head is an end-terrace dwelling located in Linthwaite, Huddersfield. The property is a Grade II Listed building, constructed from hammer-dressed stone with a stone slate pitched roof. To the side of the dwelling, there are concrete flagstones and a precast concrete garage. The topography of the area means that land levels rise to the south and fall to the north. Consequently, the rear lawned garden sits at a lower elevation than the main house.

The Proposal

The applicant is seeking planning permission for erection of two storey extension to side and associated works (Listed Building)

The extension is proposed to the east-facing elevation and has the following measurements:

- 4m width
- 6.2m depth
- 2.5m eave height
- 3.5m ridge height

The extension is finished in reclaimed natural coursed stone with a stone slate roof and the windows will be timber with natural stone surrounds.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Planning History

Relevant planning history for this site is summarised as follows:-

98/91565 LISTED BUILDING CONSENT FOR INSTALLATION OF REPLACEMENT WINDOWS AND DOOR AND SOUNDBLASTING STONEWORK
Consent refused

98/92475 LISTED BUILDING CONSENT FOR INSTALLATION OF REPLACEMENT WINDOWS AND DOOR AND SANDBLASTING STONEWORK
Consent granted

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: 28th March 2025
No representations were received as a result of the publicity.

Consultations

KC Conservation and Design: No objection 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

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, 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 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter16 – 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.

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
2. Impact upon visual amenity (including impact upon designated Heritage Asset)
3. Impact upon residential amenity

4. Impact upon highway safety
5. Other matters
6. Representations
7. 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".

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

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.

At paragraphs 213 – 215 the NPPF is clear, that where development leads to substantial harm, this is necessary to achieve substantial public benefits that outweigh that harm or, in the case of less than substantial harm this should be weight against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

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.

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'.

The Council's Conservation and Design Officer has been consulted as part of the assessment process. Officers consider that the modest scale of the proposed development would allow it to be sympathetically integrated with the existing building, respecting its original design, materials, and architectural features. The siting of the extension ensures that it reads as a continuation of the existing run of cottages, maintaining the established linear form and context of the setting.

The proposed extension would be set down from the original ridge line and set back from the principal elevation, introducing a clear visual break that distinguishes the new addition from the historic structure. The width of the extension is considered proportionate to the original building and would not compete with it visually. Instead, it would be clearly perceived as a subordinate addition to the original building. The extension is proposed to be constructed using matching materials, with timber windows framed by natural stone surrounds. These details can be secured by condition to ensure the development conserves and enhances the significance of the Listed Building.

Internally, the impact on the historic fabric is minimal, with only two new openings proposed, one at ground floor and one at first floor level. These interventions would result in limited alterations to the Listed Building, and the resulting loss of historic fabric is considered to cause less than substantial harm.

Public benefits would be required to clearly outweigh the identified harm. In this case, the development is considered to have greater efficiency with its thermal insulation, internal circulation and weathertightness for continued maintenance and use for future generations. This would allow the building to be more effectively used, enhancing its viability and therefore contributing towards its long-term upkeep. It is also noted that one formally walled up window would be brought back into use, which would reinstate an original historic of the feature that has previously been removed.

The purpose of the proposal will not conflict with the future needs of the heritage asset.

The proposed extension is considered to comply with the guidance for two-storey extensions as set out in the SPD. The extension would take up space to the side of the house, however a sufficient space to the side would ensure the development is proportionate and does not result in a cramped or incongruous appearance within the plot. The extension retains a 1 metre gap to the side boundary and is set back 500mm from the front wall of the original building. With regard to KDP 7 of the SPD, the extension would take up the majority of the lawned garden to the side of the dwelling, however the whole rear garden would be retained as a result of the development. The development is therefore considered to retain a suitable amount of amenity space to serve the dwelling.

It is therefore considered that in terms of visual amenity and preserving the building and its setting the proposal (subject to condition relating to materials of construction) would comply with Policy LP24 and LP35 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and policies within the National Planning Policy Framework.

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 designs 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:

126, Banks Road – neighbouring property to the east.

It has been assessed that this neighbour would be most impacted by the proposed development.

The proposed extension is set approximately 5 metres from the common boundary with No.126. Given the existing spatial relationship between the two properties, the extension would sit parallel to the front driveway of No.126 rather than in close proximity to any primary habitable room windows. As a result of this positioning and separation distance, the development is not considered to give rise to any significant issues of overshadowing or an overbearing impact on the occupants of No.126.

With regard to overlooking, the submitted plans confirm that no windows are proposed on the side (east-facing) elevation of the extension, which directly faces the neighbouring property. This ensures that the privacy of neighbouring occupiers is preserved. For these reasons, the proposed development is considered to have an acceptable relationship with the adjacent property and would not result in any undue harm to the residential amenity of the occupiers of No.126.

91 and 93, Banks Road – neighbouring dwellings to the south.

While the development would introduce additional built form opposite No.93, the impact is mitigated by the elevated position of No.93 within the street scene, as well as a separation distance of approximately 19 metres. These factors ensure that the proposal would not result in any unacceptable impact on the residential amenity of the occupiers of No.93. Therefore, the development is not considered to give rise to any harmful effects in terms of overlooking, overbearing, or overshadowing.

1 & 3, Ings Head – adjoining properties

The proposed extension would be confined solely to the east-facing elevation of the property and would not extend beyond the existing front or rear building lines of No.5. As such, the extension remains well-contained within the existing built envelope of the site and avoids projecting into areas that might otherwise affect the outlook or amenity of neighbouring properties. Due to its positioning and limited projection, the extension would not result in any unacceptable overshadowing of adjoining outdoor spaces or internal living areas. Furthermore, the development is not considered to appear overbearing when viewed from neighbouring properties, particularly as it does not encroach upon shared boundaries or dominate the outlook from adjacent dwellings.

For these reasons, it is considered that the proposed development would have an acceptable impact on the residential amenity of neighbouring occupiers and would not result in any significant adverse effects.

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 increase the total number of bedrooms on the property from 2 to 3. According to KDP 15 of the Council's adopted SPD, dwellings with 2 to 3 bedrooms are required to provide a minimum of 2 off-street parking spaces. However, given the modest increase in bedroom numbers, it is considered that the parking requirement for 5, Ings Head would remain unchanged as a result of the development.

The property currently benefits from a small driveway to the side, which could potentially accommodate one off-street parking space. Other than this, the dwelling does not benefit from any off-street parking provision. While there is on-street parking available in the vicinity, officers consider that the property's close proximity to the services, amenities, and facilities in Slaithwaite, including frequent public transport links, positions it in a sustainable location. This supports the potential for reduced reliance on private car use.

In light of these factors, it is considered that the development would not result in significant pressure on parking or highway safety. Additionally, the proposed development would retain the existing landscaped front amenity space, preserving the visual amenity of the area. Therefore, it is concluded that the proposal would not cause any adverse impact on highway safety or the character of the street.

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:

None received

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: 2025/90378

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).

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 of the extension hereby approved shall in all respects match the stone used in the construction of the walls of the existing dwelling and be retained thereafter.
   Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

4. The roof of the extension hereby approved shall be natural stone slate which shall, in all respects, match the stone slate used in the construction of the roof of the existing dwelling.
   Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

5. The windows within the extension shall be hardwood timber to match the joinery details in the main dwelling. They shall be constructed in timber and shall have slim-line double-glazing units of no greater thickness than 16mm, which shall have black edge spacers and which shall not include trickle vents or friction of egress hinges. All new window frames shall be set back in the reveal by 100mm and not fitted flush with the external wall.
   Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulations of the Conservation of Habitats and Species Regulations 2017. 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.

NOTE: This Decision Notice should be read in conjunction with the associated Listed Building Consent: 2025/90483.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing layouts and elevations	DB 01 01	-	20/02/2025
Proposed layouts and elevations	DB O1 02	-	20/02/2025
Heritage Impact Assessment	-	-	20/02/2025
Application form	-	-	20/02/2025
Climate Change Statement	-	-	20/02/2025

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 07/05/2025

Low coal