

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:	2025/62/90597/W
Site Address:	24, Broad Oak, Cowlersley Lane, Linthwaite, Huddersfield, HD7 5TE
Description:	Removal of conservatory and erection of single storey rear extension, alterations to patio and external stairs/steps and associated alterations to dwelling
Recommending Officer:	Joshua Merriman

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: 30-Jun-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/90597
Location	24, Broad Oak, Cowlersley Lane, Linthwaite, Huddersfield, HD7 5TE.
Proposal	Removal of conservatory and erection of single storey rear extension, alterations to patio and external stairs/steps and associated alterations to dwelling.
Publicity end date	04/05/2025
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	The application site is within the proximity of PRoW COL/65/20, whilst also being located on the former Cowlersley Lane Quarry (historic landfill site). The site is also located in a twite buffer, and has had permitted development rights removed.
Extension to Time (EoT)	Yes EoT Date: 30/06/2025
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	✓	

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
- NPPF Chapter 15 – Conserving and enhancing the natural environment

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 30** – Biodiversity and Geodiversity
- **LP 51** – Protection and improvement of air quality
- **LP 53** – Contaminated and unstable land

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 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	Yes	Following a consultation with KC Environmental Health it was requested that a contaminated land report was submitted by the applicant due to the sit being located on potentially contaminated land. As a result, it was requested that the applicant submitted a contaminated land report. The applicant provided this to a satisfactory level.
Parish/Town Council comments sought	No	
Planning History	Yes	91/02877 – Outline application for erection of residential development – Refused. 92/05103 – Erection of 8 No Detached Dwellings – Conditional Full Permission. 93/05564 – Erection of 8 Detached Dwellings with Integral Garages – Conditional Full Permission.

		<p>94/93237 – Erection of 3 No Detached Dwellings with Integral Garages – Conditional Full Permission.</p> <p>97/93474 – Erection of Detached Dwelling with Integral Garage (Amended House Type) – Conditional Full Permission.</p> <p>98/91085 - Erection of Detached Dwelling with Integral Garage (Amended House Type) – Conditional Full Permission.</p> <p>2004/91397 – Erection of First Floor Extension and Porch – Conditional Full Permission.</p>
Consultations required	Yes	<p>KC Environmental Health (Formal) – An initial consultation sought the requirement for the submission of a contaminated land report. Following the submission of this report, KC Environmental Health considered the information submitted to be satisfactory and have no objections to the proposal.</p>

Assessment

Description of development:

The application seeks permission for the removal of conservatory and erection of single storey rear extension, alterations to patio and external stairs/steps and associated alterations to dwelling.

The proposed rear extension will project 1.71m from the rear elevation of the original property, with a maximum height of 2.98m, eaves height of 2.45m, and a width of 4.8m.

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (and listed below) and if they do not, they need to be justified:

Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	At least half of the rear garden area at the property will be retained.	
Be set behind the original building, and not projecting beyond the sides	The proposal will be completely set behind the building, not projecting beyond the sides.	
Maintain external access to the rear garden	The current external access to the rear garden at the South West of the dwelling will remain.	
Single storey rear extensions should:		
be in keeping with the scale and style of the original house	The extension is subservient to the host dwelling and will be constructed using materials that either match or are considered to be sympathetic to the original house.	

not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	At least half of the total area around the original house will remain.	
not exceed 4 metres in height	The maximum height of the extension is 2.98m, not exceeding 4m.	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties	The proposal will project 1.71m, not exceeding the 4m allocation for detached properties.	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	The extension does not exceed 3m in length.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	A gap of at least 1m is retained from the extension to all surrounding property boundaries.	

Para 5.28 of the SPD sets out that balconies and roof terraces on existing buildings should not negatively affect neighbouring properties or alter the local character of the area. And that they should be:

- Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens.
- Sited away from locations that are sensitive to additional noise levels or disruption.

This is taken into account in the following sections of this report.

Design and Visual Amenity:

Summary of local street scene/character:

The application site refers to 24, Broad Oak, Cowlersley Lane, Linthwaite, Huddersfield, HD7 5TE, a two-storey detached property faced in natural stone, with a partial pitched, partial gable tiled roof, and uPVC windows and doors. The application property lies in a relatively uniform street scene, being surrounded by properties of a similar age, size, scale, character, and

appearance. Furthermore, the dwelling benefits from a hard-standing parking area to the front as well as garden space to the rear.

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 	As the extension is proposed to the rear of the house and is not visible from the front of the dwelling, it is considered that there will be no significant impact on the local character and street scene.	✓
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 	As the proposal is subservient to the original dwelling and is to be faced in either matching or sympathetic materials, it is considered that there will be no significant impact on the original house.	✓
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 	The extension is subservient to the host property with regard to height, scale, and massing.	✓
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD 	The extension is to be faced in natural stone (to match) and render walls. Matching uPVC windows	✓

	<ul style="list-style-type: none"> • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF 	<p>are proposed, however, aluminium doors are proposed rather than the existing uPVC, but as these are not visible from the street scene they are considered acceptable. Furthermore, glass guarding boundary treatments are proposed to the rear, matching those existing at the property.</p>	
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 	<p>A planum clay tiled grey roof is proposed to match the shallow pitch of the roof rather than the existing concrete tiles. Again, as the extension is not visible from the street scene, the materials are considered to have minimal impacts, and the roof is thus considered acceptable in this case.</p>	✓
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 	<p>All windows proposed in the extension are proportionate to those in the house with regard to size and positioning.</p>	✓
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF 	<p>Private domestic extension – no alternate access arrangements required.</p>	✓

The proposal would see alterations to the existing raised patio area, this would include raising the height such that it has a level access with the rear extension, and also the introduction of glazed privacy screening to the side edges of the patio.

Alterations would see the use of natural stone / render in the construction of the amendments to the patio. On the basis the development is undertaken in accordance with the submitted plans / details it is considered the impact of the alterations to the patio would not have a significant visual impact given the existing design of the raised patio areas and that which forms this proposal.

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:

The main properties affected are:

- 20, Broad Oak, Cowlersely Lane, Linthwaite, Huddersfield, HD7 5TE – Neighbouring property to the North East.
- 26, Broad Oak, Cowlersely Lane, Linthwaite, Huddersfield, HD7 5TE – Neighbouring property to the South West.

	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 	As the current rear conservatory at the dwelling contains side glazing, it is considered that the side windows in the proposed extension would cause no extra impact on the privacy of neighbours.	✓
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) 	Given the limited scale of the extension and the adequate distance between the application property and neighbouring dwellings, it is considered that there	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 	will be no significant impact on the light and outlook of neighbours.	
Impact on overbearing or overshadowing	<ul style="list-style-type: none"> KDP 5, 6 of the SPD Policy LP24 Design (b) Chapter 12 of the NPPF 	As aforementioned, due to the limited scale of the extension and adequate distance between the application property and neighbouring dwellings, it is considered that there will be no significant impact on neighbouring properties with regard to overbearing or overshadowing.	✓
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 	The application property will retain at least 50% of its current garden space, which is considered to be an acceptable amount.	✓

The proposed amendments to the patio would see the addition of obscure glazed privacy screening to the side edges of the patio. Whilst there would be some building up of the existing levels of the patio, with the addition of this screen above, given it is of a glazed design it is not considered to introduce additional massing which would be unduly oppressive / overbearing or lead to unacceptable levels of overshadowing. This conclusion is drawn taking account of the fact the host property is detached and the sides of the patio are not immediately adjacent to neighbouring occupiers, and the distances it would be sited from neighbouring dwellings.

The alterations to the patio are not considered to introduce a harmful level of overlooking, given the screening which is proposed and taking account the level of overlooking which can occur in any event from the existing patio. The proposal is therefore concluded to be 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:

	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 • Chapter 12 of the NPPF 	As the extension is to the rear of the house, and not visible from the closest highway, it is considered that there will be no significant impact on highway safety.	✓
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 	As the number of bedrooms at the dwelling will not increase as a result of the proposal, and the parking area to the front of the house will not be reduced in scale, it is considered that there current parking provision at the property is acceptable to remain.	✓
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 	Although nothing specific is detailed within the submitted plans, there will be adequate space on site for waste storage.	✓

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	Further comments	✓ / X / N/A

	the Kirklees Local Plan and the NPPF		
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 	The proposal is not close enough to have any significant impact upon trees.	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	While the site is within a twice buffer layer, the nature of the proposal is not considered to have significant impacts to roosting potential.	✓
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 to carbon emissions. A Climate Change Statement has been submitted with this application.	✓
Drainage and Flood Risk	<ul style="list-style-type: none"> • 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.	✓

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	24/1109/01	-	14/03/2025
Existing Block Plan	24/1109/02	-	14/03/2025
Existing Plans & Elevations	24/1109/03	-	14/03/2025
Proposed Block Plan	24/1109/05	-	14/03/2025
Proposed Plans & Elevations	24/1109/04d	-	14/03/2025
Application Forms	-	-	14/03/2025
Climate Change Statement	-	-	14/03/2025

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.

Report Dated: 24/06/2025