

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:	2025/62/90611/W
Site Address:	2, Kaffir Road, Edgerton, Huddersfield, HD2 2AN
Description:	Erection of extensions and 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.

John Holmes

AUTHORISED OFFICER

Date: 29-Apr-2025

The Site

2, Kaffir Road is a two-storey detached property located within the Edgerton Conservation Area. The dwelling is set within a large plot and benefits from amenity space to the front and rear of the dwelling. 2, Kaffir Road is built from natural stone with blue slate roof and stained wooden window frames. No.2,2A Halifax Road is a Listed Building which is located to the south-west of the site. To the rear boundary are trees which are protected by area Tree Preservation Orders.

The surrounding area is comprised of primarily of dwelling located within plots of various sizes. Halifax Road (A629) is to the south of the site.

The Proposal

The applicant is seeking planning permission for erection of extensions and alterations (within a Conservation Area).

The extensions will be constructed in natural stone and blue slate to match the existing building. Stone heads, cills and mullions will be provided to new openings to match the existing.

This proposal follows the refusal of planning application 2024/91425.

Single storey rear extension

The rear extension is proposed to the north-facing elevation and is single storey in height. The measurements of this extension are as follows:

- ~5m projection
- ~18m span across the rear
- ~2.7m height

The rear extension is designed with a flat roof that incorporates a balcony above. This follows the whole footprint of the single storey rear extension and is designed with a ~1.1-metre-high balustrade around the perimeter. The balustrade is glazed to the side (east and west facing) elevations and is partially glazed with sections of stone to the rear.

Internally, this extension serves a living space, kitchen and dining space, utility, and a spice kitchen.

Glazing is proposed to the rear, this is in the form of 6 full height openings.

Front extensions

Two extensions are proposed to the front, projecting ~0.8 metres beyond the front elevation to form a two-storey gabled entrance. A two-storey front extension is proposed between these two gables, projecting ~2.2 metres forward at a total height of ~6.8 metres. The ground floor features three two-high glazed panels to the front and forms a balcony above.

The existing hipped roof above the garage is to be raised and would measure a total height of ~8 metres. The existing front dormer would be removed with a larger one proposed. This dormer would measure ~2.8 metres in width, 2.8 metres in total height and ~2.8 metres in projection.

Garden room and basement

A garden room and basement are proposed to the rear of the dwelling. The garden room would measure ~6.8 metres by 10 metres, ~2.8 metre eave height and ~4.6 metre total height. This outbuilding is constructed using matching materials to the host and provides access down into the basement. The basement room would be irregularly shaped with a maximum length of ~21 metres and total width of ~14 metres, two skylights are proposed above the pool room and gym which would be in the rear garden of the application property.

A new pedestrian gate is proposed to the front boundary between the existing electric vehicle gates.

History of Negotiations

Following the initial consultation response from KC Trees, officers requested further information regarding the TPOs on site. In response, the applicant's agent submitted an Arboricultural Impact Assessment, which addressed the concerns raised by KC Tree officers.

Planning History

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

86/04892 Erection of dwelling (within a Conservation Area)
Granted conditionally

87/01454 Listed Building Consent for demolition of boundary wall (Within a Conservation Area)
Consent Granted

90/02960 ERECTION OF DETACHED DWELLING WITH INTEGRAL DOUBLE GARAGE
Conditional full permission

2024/91425 Erection of extensions and alterations (within a Conservation Area)
Refused for the following Reason:

The two-storey front extension, by virtue of its design and prominent location, has a harmful impact upon the historic character of the host property and Edgerton Conservation Area. The two-storey front extension constitutes a visually harmful addition which does not respect or enhance the character of the townscape or designated heritage assets. There are no public benefits identified or considered to exist more generally which justify the identified harm to the setting and character of the host property and the harm to the Conservation Area. The development is therefore contrary to Policies LP24 (a and c) and LP35 of the Kirklees Local Plan, Principles 1 & 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document, policies within Chapters 12 and 16 of the National Planning Policy Framework and Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

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: 27th April 2025

No representations were received as a result of the publicity.

Consultations

KC Conservation and Design: no objection.

KC Trees: Following submission of an Arboricultural Impact Assessment, no objection subject to condition.

The responses of the above consultees are discussed in greater length within the 'Assessment' section of this report.

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
- LP33 Trees
- 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 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 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.

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”.

In this case, it can be stated that the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity, the impact on the Conservation Area, as well as other matters which are discussed as follows.

2 – Impact upon visual amenity and Historic Environment

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.

Impact on Edgerton Conservation Area

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the development on their significance (NPPF Paragraph 212).

At paragraphs 212 – 215 the NPPF is clear, that where development leads to substantial harm, this is necessary to achieve substantial public benefits that outweigh that harm, where appropriate, securing its optimum viable use.

In this context, preservation means not harming the interest of the building itself, or the wider conservation area within which it is set. KC Conservation and Design have been verbally consulted during the course of this application and have not raised concerns regarding the proposal's impact upon the setting and character of the Conservation Area. Conservation Officer's have reiterated the comments received on the previous application and confirm that there are no concerns regarding the development to the rear of the dwelling and conclude that these extensions and alterations would not cause harm on the setting or character of Edgerton Conservation Area.

The proposed front extensions would be more prominent within the Conservation Area and therefore are considered to have the greatest potential impact. The submitted plans show that the previously proposed glazing in the central gable above the entrance door has been removed. In its place, the development now incorporates an open balcony, with the glazing that raised concerns among officers earlier being removed from the proposal. Officers consider this revised design to mitigate the previously identified less than substantial harm to the setting and character of the Conservation Area. As a result, the development is now regarded as having an acceptable impact on the Edgerton Conservation Area and in accordance with policy LP35 of the Kirklees Local Plan.

Single storey rear extension

Paragraph 5.6 of the House Extensions and Alterations SPD sets out that single storey extensions to rear 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.

The single storey extension projects approximately 5 metres from the rear of the host property and spans the full width of the rear elevation. The rear extension is larger than the guidelines recommended within the SPD, however Section 5.9 of the SPD states that larger extensions may be acceptable in certain circumstances if this can be justified. In this case, the application property is a large, detached dwelling which is set within a spacious plot with generous amenity spaces to the front and rear of the dwelling. Due to the scale of the dwelling and plot, it is not considered that an extension larger than the SPD guidance would appear an unduly oppressive or incongruous addition to the rear of the property. Officers therefore consider there would be no visual benefit in reducing the projection to 4 metres to comply with the SPD guidance. The extension is designed with a flat roof, and although this roof design does not always represent good design, in this case the flat roof would limit any additional bulk or massing to the rear of the property, adding to the extension's subservient appearance.

The submitted plans set out the construction materials would match the host property, these will be secured by condition.

Subject to conditions, it is therefore considered the proposed rear extension would have an acceptable impact upon visual amenity.

Terrace

Section 5.28 of the Council's SPD sets out that balconies and roof terraces 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

A terrace is proposed above the rear extension. This would follow the footprint of the rear extension and is finished with a stone and glazed balustrade. The terrace and balustrade would incorporate materials used on the host property and due to the siting to the rear, would not appear incongruous in the context of the host property. The application property is well screened with boundary treatment in the form of stone walls, fencing and trees mitigating any undue overlooking caused as a result of the terrace. For these reasons, the raised terrace is considered to have an acceptable impact upon visual amenity.

Front extensions

Paragraph 5.13 of the House Extensions and Alterations SPD relates to front extensions and details that as front extensions are highly prominent in the street scene and can erode the character of the area if they are not carefully designed, large extensions (single and two-storey) and conservatories on the front of an existing house will not normally be acceptable and are considered likely to appear particularly intrusive.

The front extensions are modest in scale and would be proportionate to the size of the host dwelling. The single-storey elements, identical in design and size, would be positioned on either side of the two-storey front extension entrance. These would each feature three full-height glazed openings, with a flat parapet roof above. Due to their limited scale, the single storey front extensions would likely be screened by the proposed boundary treatment facing Kaffir Road, and would not result in an incongruous or overbearing impact on the street scene. The two-storey extension, centrally located between the single-storey elements, would have the same projection as the adjacent single storey extensions. The first floor of this extension would include a balcony beneath a third gable, which is set lower than the existing gables to reduce the massing impact on the original dwelling.

As assessed above, this element of the previous proposal raised concerns with KC Conservation and Design officers. It is considered by the removal of the glazing and incorporation of a balcony, this amendment overcomes the visual harm of the development. As such, this element of the proposal is therefore considered to have an acceptable impact on visual amenity, in accordance with the aims of policies LP24 and LP35 of the Kirklees Local Plan.

Front dormer and raising of roof ridge

Section 5.27 of the Council's SPD relates to dormer extensions:

5.27 Dormer windows should:

- *relate to the appearance of the house and existing roof;*
- *be designed in style and materials similar to the appearance of the existing house and roof;*
- *not dominate the roof or project above the ridge of the house;*
- *be set below the ridgeline of the existing roof and within the roof plane;*
- *and*
- *be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.*

The submitted plans show the existing front dormer would be removed, and the hipped garage roof would be raised. The proposed raising of the roof ridge is

deemed to have an acceptable visual impact, as it will be set lower than the main dwelling and finished with materials that match the existing structure, maintaining visual harmony. The roof extension would therefore not appear disproportionate in scale and would leave the host roof dominant in all aspects. The proposed materials can be conditioned to match to ensure the development has an acceptable impact upon the street scene and setting of the Conservation Area.

The proposed dormer is designed with a pitched roof, this design is considered to have an acceptable visual impact as it would match the three gables proposed to the front elevation. The front dormer is set below the ridge of the main house, however would also be below the eaves, contrary to SPD guidelines. However, the elevations show the dormer openings would align with the existing openings on the first floor, therefore, in this case, officers consider there would be no design benefit in setting the dormer further within the roof slope. The windows are small in size and are of similar proportions to the existing first floor openings. Due to these reasons, the dormer and raising of roof ridge is considered to have an acceptable visual impact.

Garden room and basement

Section 5.6 of the House Extensions and Alterations relates to outbuildings:

5.6 'Outbuildings should normally:

- be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;*
- be set back behind the building line of the original building so that they do not impact on the street scene; and*
- preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and follow a general principle that no more than 50% of garden space should be lost.'*

The proposed outbuilding would be sited to the rear of the dwelling. The building would have a large footprint but given the scale of the original house and associated curtilage, would not appear disproportionate and over half of the rear amenity space would be retained. The outbuilding is set well back from the original building line and would be screened by the host property to mitigate any impact on the street scene and setting of the Conservation Area. Due to this, the outbuilding would not appear prominent or incongruous within the street scene. The proposed materials would match those used on the original house; these can be secured by condition.

The outbuilding would provide access down into the basement room. The basement would not be visible from public vantage points, with only 2 rooflights proposed above. These would be visible within the rear garden of the application property and are considered to be of acceptable size, style and positioning to avoid an incongruous appearance. The submitted plans show the grass/landscaping would be retained above the basement extension. Due to these reasons, the proposed garden room and basement extensions are considered to have an acceptable impact upon visual amenity.

The proposal also seeks to create a pedestrian opening within the existing front boundary wall. This would be between the existing electric gates, with a new landscaped pathway from the gate to the front entrance of the dwelling. This gate would be of the same finishes and height as the existing gates and would not extend above the boundary wall. Due to these reasons, it is considered that the addition of a smaller pedestrian gate at the site would have an acceptable visual impact

Whilst a listed building is located approximately 20 metres south of the site, given the separation distance, the development is not considered to affect the setting of the listed building.

It is therefore considered that in terms of visual amenity, the proposed would comply with Key Design Principles 1 and 2 of the House Extensions and Alterations SPD, Policies LP24 and LP35 of the Kirklees Local Plan, and Chapters 12 and 16 of the NPPF.

To ensure the visual impact of the proposal is acceptable a condition of permission would require the walls to be from materials to match the existing dwelling and roofing materials to pitched roofs to also match.

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:

4, Kaffir Road

This property neighbours the application site to the north-east.

In terms of overlooking, the proposed plans show no openings proposed to the side elevation that would face this neighbour. The terrace would be set in from the common boundary by approximately 1.5 metres, and boundary treatment in the form of stone walls and trees would mitigate any harmful impacts of development. Due to the siting and relationship between these properties, the terrace would face the side elevation of No.4, Kaffir Road, and would not detrimentally overlook the main amenity space of this neighbour. When viewing floor plans of No.4 which are available on the Council's website, it appears No.4 has two obscurely glazed windows which would face the raised terrace. As these are obscurely glazed, it is not considered the raised terrace would cause a detrimental overlooking / loss of privacy impact or conflict with any habitable windows at No.4.

Due to the single storey nature of the rear extension and outbuilding, the proposal is not considered to cause undue overshadowing / overbearing impacts to occupiers of No.4. The raising of the ridge would not cause undue harm due to existing boundary treatments, and No.4 is also a two-storey property, therefore the modest increase in height would not result in undue overbearing impacts. The proposed development is therefore considered to have an acceptable impact on this neighbour's amenity.

Glenwood Cottage

This property neighbours the application site to the west.

It has been assessed the front extensions would have the most impact on this neighbouring dwelling. This is due to the increase in glazing proposed to the front elevation. Due to the orientation of these properties, the separation distance (~10 metres), and existing boundary treatment in place, it is considered the development would not result in undue impacts of overbearing, overshadowing or overlooking. The rear terrace would be screened by the main body of the application property, therefore no undue impacts of overlooking / loss of privacy are considered to occur. The proposed development is therefore considered to have an acceptable impact on this neighbour's amenity.

2, Halifax Rpad

This property neighbours the application site to the south-west. Due to the separation distance between the two dwellings (~20 metres), it has been assessed that no detrimental impacts of overbearing, overshadowing or overlooking would occur as a result of the development. There is also boundary treatment in the form of stone walling and trees to further mitigate any impacts of development. The proposed development is therefore considered to have an acceptable impact on this neighbour's amenity.

The closest neighbouring dwelling to the rear is 1, Sunnyside, situated at 40+ metres from the application property. This is considered acceptable to mitigate any undue harm caused by the development.

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 intensify the domestic use of the property, taking the total number of bedrooms on site from 5 to 6. The property benefits from an integral garage and a large driveway to the front which would be retained as a result of the development. This is considered to provide a sufficient level of off-street in-curtilage parking to serve the property.

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.

Trees

With regard to trees Policy LP33 of the Kirklees Local Plan is of relevance and states the following:-

'The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity. Proposals should normally retain any valuable or important trees where they make a contribution to public amenity'

Chapter 15 of the NPPF seeks to conserve / protect the environment and for developments to have a net gain in terms of biodiversity.

KC Trees were consulted as part of this application. Initially, officers raised objections due to the lack of an Arboricultural Impact Assessment, as there was no clear evaluation of the potential impact on the protected trees on site. While the plans may indicate that the canopy areas are clear, the root protection zones of these trees could extend into the site. Following the submission of an Arboricultural Impact Assessment by the applicant's agent, KC Trees were reconsulted and provided the following comments on the additional information:

The submitted AIA shows that one tree T7 requires removal to facilitate the development. This tree is protected under the Edgerton Conservation area but the option of placing a TPO on this tree isn't viable due to it rarely viewed location, therefore, its removal is acceptable.

The rest of the development comes extremely close to the root protection areas of multiple trees, however it is believed to be achievable with great care being taken.

The Preliminary Tree Protection Plan looks adequate to protect the surrounding trees and this should be produced as part of an AMS.

There is no objection providing an Arboricultural Method Statement is submitted for review prior to construction starting.

In light of the submitted detail and response of the Tree officer, it is considered that in terms of trees, the proposed development would comply with Policy LP33 of the Kirklees Local Plan and Chapter 15 of the NPPF subject to inclusion of the recommended condition.

It is noted the recommended condition is worded to state development shall not commence. However, given that the impact of the proposal upon trees is identified as being as a result of the development to the rear (and this incorporates the element to side too) it is considered appropriate this condition is worded to state other than development relating to the extension to front, no further development shall take place until the submission of the AIA.

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: 2025/90611

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 & LP35 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. Notwithstanding the submitted plans and information, other than construction of the extensions to front, no other part of the development hereby approved shall commence until, an Arboricultural Method Statement, in accordance with British BS 5837, has been submitted to, and approved in writing by, the Local Planning Authority. The method statement shall include details on how the construction work will be undertaken to minimise damage to the retained trees. The development shall thereafter be undertaken in complete accordance with the approved Arboricultural Method Statement.

Reason: To protect to viability of the protected mature trees within close proximity to the application site and to accord with Policy LP33 of the Local Plan and advice within the National Planning Policy Framework.

4. Notwithstanding the plans submitted the materials of construction used for all external walls of the development hereby approved and the roofing materials for the pitched roofs of the development hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

Reason: In the interests of visual amenity and the setting of the Conservation Area 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 Chapters 12 & 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 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	LOC	-	06/03/2025

Plan Type	Reference	Version	Date Received
Site Plan and 3D Site Plan as Existing	2862_ACU(SK)A102	P1	06/03/2025
Plans and Elevations as Existing	2862_ACU(SK)A101	P1	06/03/2025
Proposed Block Plan	(100)07	D	06/03/2025
Site Plan and 3D Site Plan as Proposed	(100)04	H	06/03/2025
Plans as Proposed	(100)03	F	06/03/2025
Elevations as Proposed	(100)06	H	06/03/2025
3D Site Section	(100)05	E	06/03/2025
3D View	(100)08	-	06/03/2025
Application form	-	-	06/03/2025
Climate Change Statement	-	-	06/03/2025
Planning, Heritage Statement	-	Rev A	06/03/2025
Aboricultural Impact Assessment	-		08/04/2025

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. Following the initial consultation response from KC Trees, officers requested further information regarding the TPOs on site. In response, the applicant's agent submitted an Arboricultural Impact Assessment, which addressed the concerns raised by KC Tree officers.

Report Dated:

28/04/2025

Low coal

