

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:	2025/62/90735/W
Site Address:	87, New North Road, Edgerton, Huddersfield, HD1 5ND
Description:	Erection of two storey side extension, hip to gable alteration and rear dormer (within a Conservation Area)
Recommending Officer:	Molly Storer

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: 04-Jun-2025

The Site

The application site relates to 87 New North Road, a two storey semidetached property located in the area of Edgerton, Huddersfield. The external walls of the property are constructed from natural stone. Windows are uPVC with double glazed glass units, front door is constructed from timber and the rear bifold doors are aluminium frame with double glazed glass units. The roof is dual pitched hipped roof and return gable roof slope consisting of clay tiles.

There is a stone walled garage and a wooden clad outbuilding both located in the rear aspect of the rear garden. The site benefits from garden space at the front and rear of the property whilst being located on a sloping site.

The property sits on a rectangular plot with the front of the house facing a north-west direction. The roof is dual pitched hipped roof and return gable roof slope consisting of clay tiles. The site is located within Greenhead Park/New North Road Conservation Area.

The Proposal

The applicant is seeking planning permission for erection of a two storey side extension, hip to gable alteration and rear dormer (within a Conservation Area)

Two storey side extension:

The side extension will have a gable roof design and materials to match that of the host property. It will create space for an additional bedroom and dressing room on the first floor and a garage and utility on the ground floor. Measurements are as follows:

- 3m projection from the side
- 10.7m length

- 5.4m height to the eaves
- 8.5m overall height

Dormer window:

The rear dormer is of a flat roof design and will be finished in dark Grey UPVC to match new windows. The measurements of the dormer are as follows:

- ~1.8m height
- ~3.6m projection
- ~3m width

Roof alterations:

The roof is proposed to be altered from a hipped roof to a gable roof, aligning with the existing roof ridge. Three roof lights would be inserted on the front elevation and a single roof light would be inserted on the rear elevation.

Planning History

2005/90442 – Demolition of garage and erection of extension (Within a Conservation Area) – Conditional Full Permission.

2024/92878 - Hip to dormer alteration to roof, erection of rear dormer extension and insertion of roof lights (within a Conservation Area) – Conditional Full Permission.

History of Negotiations

None required.

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 press notice.

Final publicity date expired: 11th May 2025

No representations were received as a result of the publicity.

Consultations

Non required.

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).

The site is within the Greenhead Park/New North Road Conservation Area. As such the following 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
LP35 Historic Environment
LP51 Protection and Improvement of Local Air Quality

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th 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 4 – Decision-Making
Chapter 9 – Promoting sustainable transport
Chapter 12 – Achieving well-designed and beautiful places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter 15 – Conserving and Enhancing the Natural Environment
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).

The Planning and Compulsory Purchase Act 2004.

Planning (Listed Buildings & Conservation Areas) Act (1990).

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. 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 on character and appearance of the area including heritage impact

The site is located within the Greenhead Park/New North Road Conservation Area. Section 72 of the Planning (Listed Buildings & Conservation Areas) Act (1990) requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area.

Section 72 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Policy LP35 states that:

“Development proposals affecting a designated heritage asset should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

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.

Rear dormer

Section 5.27 of the Council's adopted House Extensions and Alterations SPD relates to dormer extensions:

- 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 rear dormer would be small in scale and would be set well within the confines of the existing roof. It will be set down from the ridge and above the eaves, with space of the original roof retained to the sides. The dormer is designed with a flat roof, and the front and cheeks of the dormer will be conditioned to be tile hung to match that of the existing roof and to be of a dark grey colouring.

A dark grey colour will not directly match the colouring of the existing roof however this is considered acceptable as the existing appears to be rosemary tiles but this colouring has worn away. Therefore, a dark grey colouring for the dormer would not detrimentally contradict with the roof slope.

It is noted that there are a number of other, similar extensions in the area and some of these historic properties do have smaller scale dormers. The dormer is therefore considered to be acceptable in terms of visual amenity. It is recommended any grant of permission requires the walls of the dormer to be of a dark grey colour finish.

It is also considered that due to the above reasons and due to the dormer being located to the rear of the property, the proposed works would not affect the setting of the Conservation Area to any significant degree that is greater than that of the host property and the development would therefore the proposal is considered to preserve the character of Green Head Park/New North Road Conservation Area.

Two storey side / rear extension

Paragraph 5.19 of the House Extensions and Alterations SPD sets out that two-storey side extensions can have a significant effect on the character of the original house and the street. Adequate space between buildings should be retained to provide a sense of space which is important to the character of an area. It goes on, at paragraph 5.20, to state that two-storey side extensions should:

- not take up all or most of the space to the side of a house;

- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and
- be set back at least 500mm from the front wall of the house.

Paragraph 5.8 of the House Extensions and Alterations SPD sets out that two-storey rear extensions will be considered based on the extent of overshadowing, loss of privacy and outlook. Generally, two-storey rear extensions should: be proportionate to the size of the original house and garden; not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings); not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties; not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary; be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and not adversely affect habitable room windows where they adjoin a neighbour's boundary.

The proposed extension is considered to have an acceptable visual impact. The materials of construction would be traditional and would be constructed from stone for the walls and tiles for the roof. These materials are considered to be acceptable and in keeping with the setting of the Conservation Area and would match those of the original property. A condition would be attached to ensure matching materials for the two storey side extension.

The extension would be set well back from the highway and from the front wall of the house by 500mm. Due to this, the development would not appear overly prominent from public vantage points. The ridge is set down from the host property to ensure a subservient appearance that does not over dominate the original house. It would not project beyond the rear the host property and a large amount of private outdoor space for occupiers of the dwelling would be retained to the rear of the property.

It is noted that a 1m gap would not be maintained from the boundary however from a visual perspective it is noted that the adjacent property to the northwest and the host property are two distinct property types. Due to these differences in property type and the differing levels of the properties (whereby the neighbouring property is located on a higher ground level) it is considered that this will provide a sufficient visual break between the dwellings and it would be unreasonable of the LPA to require this in this instance. It is considered the fact a 1m gap to the boundary is not provided would not constitute a reason for refusal which could be substantiated in this instance.

It is noted that adjoined property No.85 has a two storey side extension, but this is set back significantly from the front elevation. In this case it is considered acceptable for only a 500mm set back. This is due to the difference between

the two properties in relation to their closest neighbour with the relationship being a side to side one in this case. The design of No.85's extension was forthcoming in response to concerns raised about impact to openings serving number 15 Vernon Close, the property closest to the two storey element proposed at No.85.

The impact of the proposal upon the setting of the Conservation Area / listed buildings is not considered to be significant given the design of the development and the fact it is to extend an existing building in proximity to these buildings / within the Conservation Area. It is considered the impact of the development is not harmful to these historic assets and the development would meet the requirements of the aforementioned legislation and policies.

Hip to gable enlargement

Although the House Extension & Alterations SPD does not explicitly refer to such development, KDP1 and KDP2 require consideration of the character of both the host property and the surrounding properties. This property semi-detached, located in an area with varying styles of houses. It is noted that the adjoining house (No.85) also has an ongoing application for a hip to gable enlargement and therefore the properties would appear symmetrical. Within the wider street scene this roof design is not uncommon so the properties would appear consistent with the locality. It is also noted that the roof lights would not have a significant impact on the host property and would not appear out of place.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 and LP35 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice 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 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:

85 New North Road – adjoining neighbour to the southeast

There are no new windows that will face in the direction of the property. The roof extension will fall away from this property and the dormer will be located well within the roof slope of the host property. The side extension will be located to the opposite side and will be screened from this property by the host property. There will not be a significant loss of light, loss of outlook or an overbearing presence from the dormer, side extension or roof extension.

89 New North Road – located to the northwest of the application site

The dormer is limited in scale and is set within the roof plane with no significant potential to result in any overshadowing or overbearing. The windows within the dormer and roof slope would look towards the applicant’s own garden with limited overviews of the neighbour’s amenity space. The space between the dwellings would not be reduced as a result of the works proposed.

With regard to the two storey side extension, this will create additional massing closer to the boundary with No.89. However it is noted that this element will face a mostly blank elevation at the ground floor level of No.89 with only a single door in this elevation. The nearest windows are located on the first floor at a separation distance of ~4m. Given the relationship between these buildings whereby No.89 is located on a higher ground level and the size / scale of the proposal, it is concluded the impact in terms of overshadowing / oppressiveness to No.89 would not be so significant as to warrant refusal. The windows to no.89 appear to serve non habitable rooms from analysis of the planning history of no.89 and floor plans submitted for previous applications at that property (applications refs 2019/93042 & 2020/90466).

With regards to privacy, the plans show that there would be a single window on the first floor facing in the direction of this property. However, plans show that this window would serve a bathroom and would be opaque to maintain privacy. The only other opening on this elevation is a single door on the ground floor which would not cause significant levels of overlooking. Therefore, it is considered that there will be no significant level of overlooking arising from 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 policy 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 not intensify the domestic use of 87 New North Road, the number of bedrooms at the property would remain at 3. The parking area to the front of the property would not be affected by the proposed extension. Although the parking area to the side would be taken up by the extension it is considered that the front driveway would easily provide 2 off-street parking spaces.

The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

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, in this case it is considered a proportionate approach that an informative be included, 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.

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: 2025/90735

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).

1. 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

2. The walls of the dormer to rear shall be of a dark grey colour finish, and be retained thereafter.

Reason: In the interests of visual amenity to accord with policy LP24 of the Kirklees Local Plan, principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD and policies contained within Chapter 12 of the National Planning Policy Framework.

3. Notwithstanding the plans submitted the materials of construction used in the construction of; (i) the walls and roofs of the two storey side and (ii) the hip to gable enlargement hereby approved shall, in all respects, match those used in the construction of the walls and roofs of the existing building and be retained thereafter.

Reason: In the interests of visual amenity to accord with policy LP24 & LP35 of the Kirklees Local Plan, principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD and policies contained within Chapters 12 and 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	-	-	18/03/2025
Proposed site/block layout	-	-	18/03/2025
Proposed floor plans	02		18/03/2025
Proposed elevations	01		18/03/2025
Climate change statement	-	-	18/03/2025
Heritage statement	-	-	18/03/2025
Application form	-	-	18/03/2025

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 2025 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:

2nd June 2025