

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:	2025/62/90788/W
Site Address:	116, Rawthorpe Lane, Rawthorpe, Huddersfield, HD5 9NX
Description:	Erection of raised decking and steps to rear
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: 06-Jun-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/90788
Location	116, Rawthorpe Lane, Rawthorpe, Huddersfield, HD5 9NX.
Proposal	Erection of raised decking and steps to rear.
Publicity end date	15/05/2025
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	The application site is unallocated in the Kirklees Local Plan.
Extension to Time (EoT)	No
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

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	SUMMARY
--	---------------------	----------------

Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	Yes	2023/92249 – Erection of two storey extension to rear – Conditional Full Permission. This has been constructed on site.
Consultations required	No	

Design and Visual Amenity:

Summary of local street scene/character:

The application site refers to 116, Rawthorpe Lane, Rawthorpe, Huddersfield, HD5 9NX, a two-storey semi-detached property faced in red brick, with a pitched, tiled hipped roof, and uPVC windows and doors. The application dwelling lies in a relatively varied street scene lying opposite properties of a similar age, size, and scale, but with differing characters and appearances. Furthermore, the application property benefits from amenity space to the front, as well as a hard-standing parking area to the side and 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	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	Given the limited scale of the development and its location to the rear of the application property, it is considered that there will be no significant impact on the local character and street scene.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	Due to the limited scale of the development and the use of sympathetic materials, it is considered that there will be no significant impact on the original house.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposal is subservient to the host dwelling with regard to height, scale, and massing.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	Composite decking is to be used rather than the existing concrete flags in the rear garden, this is considered acceptable and to appropriately harmonise with the host property.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	N/A	✓

Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	N/A	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	The works will be accessible via a flat path to the side of the dwelling and will allow access into the rear doors of the house via external steps.	✓

The design of the proposal is therefore concluded to be acceptable and accord with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 114, Rawthorpe Lane, Rawthorpe, Huddersfield, HD5 9NX – Adjoined neighbour to the South West.
- 5, North Carr, Dalton, Huddersfield, HD5 9QP – Neighbouring property to the South East.
- 7, North Carr, Dalton, Huddersfield, HD5 9QP – Neighbouring property to the South East.

The development as implemented by virtue of permission 2023/92249 has been constructed on site. The approved plans for 2023/92249 showed the land level to the rear being the same as that which would serve the extension.

This application seeks to develop the site such that a stairway is provided to the rear door of the extension to a lower patio level, and a further stairway is then proposed to access a further lower patio level. The submitted plans indicated that the patio to the rear of the extension would not be significantly higher than the land level of the rear amenity space serving the adjoining dwelling (0.3m higher).

Given the fact the patio would not be significantly higher than the level of the neighbouring properties rear amenity space, and the patio would not easily

allow overlooking of the adjoining property to occur it is considered that the works do not lead to a significant level of overlooking of the adjoining property or no.112 beyond. Similarly views of the rear of the adjoining property from the stairs to the rear providing access to the extension are not able to be taken due to the siting of the stairs.

The raised patio would not facilitate significant levels of overlooking to the properties to the south / east greater than that which occurs already, and the views taken would not be significant given the distance sited from properties to the south / east.

Taking account of the design and scale of the proposed works, and the extent of the levels being raised it is considered that the development would not lead to a significant level of overlooking of neighbouring properties.

	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)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	The proposal is not considered to facilitate significant overlooking to neighbouring sites; therefore, it is considered that there will be no significant impact on the privacy of neighbours.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	As the development does not include any new buildings that could physically impact light and outlook, and taking account of the extent of the proposed works, it is considered that there will be no significant impact in this regard.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD	For the reasons as set out above, it is considered that there will be no significant impact	✓

	• Policy LP24 Design (b) • Chapter 12 of the NPPF	upon neighbouring dwellings with regard to overbearing or overshadowing given the scale of the proposed works which are proposed.	
Remaining garden space of application property	• 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 proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking:

	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	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	As the works are to the rear of the dwelling and not visible from the front, it is considered that there will be no significant impact upon highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP	The number of bedrooms at the property will not increase as a result of the proposal, and the hard-standing parking area will not be reduced in scale, therefore the	✓

	Chapter 12 of the NPPF	current parking provision at the dwelling is acceptable to remain.	
Provision for waste storage	- 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 the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	- 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	- KDP 12 of the SPD - Policy LP30 - Chapter 15 of the NPPF	The application site is not located in an area of ecological interest.	✓
Carbon Budget / Climate change statement	- KDP 8, 9, 10 & 11 of the SPD - Policy LP51	Small scale domestic development to an existing dwelling. As such, no special measures required in	✓

	Chapter 14 of the NPPF	terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	
Drainage and Flood Risk	- 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.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
None		N/A

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: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2025/90788

Officer Recommendation: Conditional Full Permission
Conditions and Reasons

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.

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

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Planning drawing	03	-	14/04/2025
Photos General	-	-	14/04/2025
Application Forms	-	-	14/04/2025
CCS	-	-	14/04/2025

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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 22/05/2025