

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

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| Reference No: | 2025/62/90801/E |
| Site Address: | 103, Scholes Lane, Scholes, Cleckheaton, BD19 6LY |
| Description: | Erection of first floor side extension and single storey extension |
| Recommending Officer: | Faiza Bano |

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

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| Application Number | 2025/90801 |
| Location | 103, Scholes Lane, Scholes, Cleckheaton, BD19 6LY |
| Proposal | Erection of first floor side and single storey extension |
| Publicity end date | 30 th May 2025 |
| Number of representations received | None. |
| Kirklees Local Plan Allocation/Designation | Unallocated |
| Extension to Time (EoT) | Yes Date: 6th June 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

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 8: Energy efficiency
- Key design principle 9: Construction materials

- Key design principle 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

| | YES / NO | SUMMARY |
|---|---------------------|----------------|
| Negotiations/Amendments during course of application | No | N/A |
| Parish/Town Council comments sought (Kirkburton) | No | N/A |
| Planning History | No | N/A |
| Consultations required | No | N/A |

Assessment

The proposal sees an additional floor above the existing single storey section of the dwelling.

The Kirklees SPD sets out that two storey side extensions should comply with certain parameters set out at paragraph 5.20 on page 29 (and listed below) and if they do not, they need to be justified:

| Two Storey Side Extensions Should: | <u>Yes - COMPLY</u> | <u>No - JUSTIFY</u> |
|---|---|--|
| not take up all or most of the space to the side of a house; | Yes – the extension does not cover more than half of the total area around the original house. The proposed extension projects out by 3.3m. covering the same area as the ground floor level. Considered acceptable and ample garden space will be retained to the front and rear of the house. | |
| maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and | | N/A – The existing single storey section is built against the site boundary, and that the boundary is located along an access road with the closest building over 7m away to the north. Therefore the fact the proposal would be up to the boundary is not considered to have a significant impact in this case. |
| be set back at least 500mm from the front wall of the house. | | N/A – The proposal is for a first floor extension and follows the foot print of the existing single storey section. Furthermore the proposal is to an end terraced property, as such it is considered that the impact of the proposal not being set back would not |

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| | | be significant in this case taking account of the orientation of the dwelling which has the main openings facing east, which is an elevation of less prominence. As such to require a set back from either the western or eastern elevation is not considered to be of any design benefit in this case given the context and circumstance of the site. |
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In this case the eastern elevation of the dwelling appears to form the front elevation given the development of the site originally and fact the main access runs to the east of the site. The main openings are to the eastern elevation. The Kirklees SPD sets out that single storey front extensions should comply with certain parameters set out at paragraph 5.14 on page 27 (and listed below) and if they do not, they need to be justified:

| Single storey front extensions: | <u>Yes - COMPLY</u> | <u>No - JUSTIFY</u> |
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| The house is set well back from the pavement or is well screened; and | Yes – the house is well setback from the pavement. | |
| The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area; and | | The site is not prominent from the main adopted highway. Properties in this terraced row have been developed with extensions of a variety of type and design to the eastern elevation. The proposal would not have a significant impact in this case given the context it would be viewed within and refusal on basis of the size of the extension could not be substantiated in this case. |

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| The materials and design match the existing features of the original house; and | Yes – materials would match existing | |
| The extension would not unreasonably affect the neighbouring properties. | Yes – the scale would result in minimal impact on neighbouring property. | |

Design and Visual Amenity:

Summary of local street scene/character:

The site to which the application site relates to is 103, Scholes Lane, Scholes, Cleckheaton, BD19 6LY. A two-storey end-terrace dwelling faced in stone and the roof is finished in concrete tiles. The property benefits from amenity space to the front, with an accessible drive and large garage located opposite. The dwellings that form the street scene are similar in appearance, scale and material palette. The area is predominantly residential, and the street scene encompasses several dwellings of similar character size, design and scale.

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 | The development is would not appear overly prominent. The proposed development would be located to the side and east of the property and will have some impact on the character or street scene although it is considered this would be in keeping with the general street scene having regard to previous developments in the | ✓ |

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| | | locality and the scale / design of the proposal. | |
| 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 | The original property would remain the dominant feature. | ✓ |
| 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 | As above. The extension would project across the side and eastern elevation of the property. The proposed development consists of a first floor extension to the side and single storey extension which respects the character of the existing dwelling. | ✓ |
| Facing materials and detailing | <ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF | Facing materials to match existing. | ✓ |
| 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 | Formation of gable end to the side extension, pitched lean-to roof style to the single-story extension. All roof styles are acceptable as they are in-keeping with the original roof style of the host property and/or match the character of the street scene. | ✓ |

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| 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>Modest size windows. Including roof light, in extensions, which would be in-keeping with existing building.</p> <p>Replacement opening along the front and rear elevations are considered acceptable.</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 | Private domestic extension which would provide easy access into the main house. | ✓ |

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:

- 99 Scholes Lane – located to the north of the application site. There is a 7m gap between these properties and although this property will see additional massing and bulk to the application site, it is considered that there will be no significant impact on this dwelling.
- 101 Scholes Lane – adjoining property to the south. There will be no impact on this dwelling as the single storey extension replaces the existing porch and does not extend beyond the eastern elevation building line of no.101.

| | Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF | Further comments | ✓ / X / N/A |
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| Impact on privacy of neighbours (to | <ul style="list-style-type: none"> • KDP 3 & 4 of the SPD | Acceptable for the reasons set out above. | ✓ |

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| sides, rear and front) | <ul style="list-style-type: none"> • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF | | |
| 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) • Chapter 12 of the NPPF | As above. | ✓ |
| 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 | Usable amenity space will remain. | ✓ |

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 |
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| 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 | <p>Parking is predominantly provided on-street, which remains acceptable due to the location of this property and the neighbouring houses.</p> <p>The proposal sees an increase from a one-</p> | ✓ |

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| | | bedroom house to a two bedroom house. | |
| 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 | Maintains appropriate access and off-street in-curtilage parking. | ✓ |
| 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 | None shown on plans however, there is sufficient space within the red line boundary to allow for storage on site. Condition not considered necessary. | ✓ |

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 | <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 | N/A | ✓ |
| Impact on ecology | <ul style="list-style-type: none"> • KDP 12 of the SPD | N/A | ✓ |

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| | <ul style="list-style-type: none"> • Policy LP30 • Chapter 15 of the NPPF | | |
| 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. | ✓ |
| Description of development | N/A | The description as advertised made reference to the single storey extension being to the front. The orientation of the site, and the access arrangements are such that it would reasonably be considered that the front is the eastern elevation although reference to the extension being to the front has been removed from the description and reference only made to 'single storey extension' given this is the only element which is single storey it is considered | |

Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The external walls and roofing materials of the extension 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 in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours, Mondays to Fridays 08.00 and 13.00hours, Saturdays with no working Sundays or Public Holidays. In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|------------------------------|------------------|----------------|----------------------|
| Grouped Plans and Elevations | 21-094-002 rev B | | 04-Apr-2025 |
| Location Plan | - | | 04-Apr-2025 |
| General | CCS | | 04-Apr-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:

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| 03/06/2025 |
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