

**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:	2025/62/90823/E
Site Address:	Upper Croft Barn, 2, Stocks Lane, Stocksmoor, Huddersfield, HD4 6XS
Description:	Erection of dormer
Recommending Officer:	Elenya Jackson

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.

Emma Thompson

AUTHORISED OFFICER

Date: 29-May-2025

OFFICER REPORT

Site Description

Upper Croft Barn, 2, Stocks Lane, Stocksmoor, Huddersfield, HD4 6XS

The site is a former agricultural barn which was converted post 1997 into a dwelling.

The dwelling is located south-west of Stocksmoor and is allocated as Green Belt. The immediate vicinity of the site is low density with approximately seven other dwellings. The layout of the dwellings and the low density contributes to the rural character of the area.

The area immediately surrounding the site is predominantly undeveloped or agricultural in nature with mainly farmsteads in close proximity to the dwelling.

There is an equestrian use to the rear of the site.

The site is located in low risk coal area.

Description of Proposal

This application has been received for the following 'Erection of dormer'.

The proposal would be composed of a roof alteration which would have a height of 1.7m above the eaves and have a width of 7m. This would not extend beyond the ridgeline of the host dwelling.

Relevant Planning History

96/91817: RE-USE OF EXISTING BARN AND NEW EXTENSION TO FORM DWELLING AND CONVERSION OF OUTBUILDING TO FORM GARAGE. Conditional full permission.

97/91914: RE-USE OF EXISTING BARN AND NEW EXTENSION TO FORM DWELLING AND ERECTION OF STABLE BLOCK. Conditional full permission.

98/90127: VARIATION OF CONDITION 5 RELATING TO ROOFING MATERIAL ON PREVIOUS PERMISSION 97/62/91914/E6 FOR RE-USE OF EXISTING BARN AND NEW EXTENSION TO FORM DWELLING AND ERECTION OF STABLE BLOCK. Conditional full permission.

2016/92213: Erection of single storey and two storey extensions and external alterations. Conditional full permission.

2018/93079: Erection of single storey front extension. Conditional full permission

2024/93379: Erection of ground floor utility extension and first floor oak dormer extensions to front and rear. Withdrawn.

Representations

The application was advertised by site notice which expired on 11/5/2025

One representation was received which raised the following concerns:

- Loss of light
- Overlooking
- Impact on the character of dwelling
- Description of the development
- Not receiving a neighbour notification

Consultation Responses

N/A

Policy

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 located within the Green Belt on the Kirklees Local Plan.

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 predates 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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP51**- Protection and improvement of local air quality
- **LP52**- Contaminated and unstable land
- **LP57**- Extension alteration or replacement of existing building

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, and 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.

- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity

- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Negotiations
- 7) Conditions
- 8) Conclusion

1 – Principle of development:

The application site is located on land allocated as Green Belt on the Kirklees Local Plan. The proposal is for the construction of extensions to the host dwelling.

Chapter 13 of the NPPF requires Local Planning Authorities to give substantial weight to any harm to the green belt. Development in the Green Belt is considered inappropriate unless exceptions apply. These exceptions include the extension or alteration of a building providing it does not result in disproportionate additions over and above the size of the original building.

An 'original building' is defined in the NPPF glossary as "a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

Policy LP57 of the Kirklees Local Plan states that extensions will normally be acceptable provided that the host building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and other associated buildings will be considered. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building. Furthermore, the proposal should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and the design and materials used should be sensitive to the character of the Green Belt setting.

The site is within the Green Belt on the Kirklees Local Plan Proposals Map. As such a key consideration will be its impact on the Green Belt and it will be assessed having regard to Policy LP57 and NPPF chapter 13.

In addition, the impact of the development on design grounds, residential amenity and highway safety will also be considered along with, biodiversity and all other material considerations and representations received.

2 –Impact on openness of the Green Belt and visual amenity:

Key Design Principle 1 of the House Extensions & Alterations supplementary planning document (SPD) states that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the HEASPD goes onto state that extensions should not dominate or be

larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

The proposal is for the erection of a dormer/rear roof extension.

The Planning Practice Guidance (PPG) sets out that “openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume” and this is acknowledged by officers.

As previously outlined, the site was previously an agricultural barn which has received permission to be converted into a residential property. There are several examples of extension to the front and rear of the dwelling which include a lean-to projection on the front of the dwelling, a porch and a two storey glazed structure to the rear to provide a garden room.

Officers have previously noted that, the property has previously been substantially increased both in terms of the floor space of the development and the overall scale and mass. However, officers have outlined that the previous extensions to the dwelling have been considered acceptable as they provided a continuation of the existing shallow roofline of the dwelling.

In response to officers’ concerns regarding design and mass, a revised proposal has been submitted, which sets the proposed alterations in 4.5m from the side elevation of the dwelling and significantly reduces the proposals maximum height. This would result in a 16.8m³ increase in volume of the host dwelling, which is considered marginal.

The proposal would be at the rear of the dwelling, which there are some vantage points from the public realm and a PROW in close proximity to the site, officers consider that the proposal would set in from the boundary of the site and only increase the height of the eaves by 1.6m for a portion of the roof space. It is considered that the proposed alterations would keep the characteristics of the building as it would retain a shallow pitched roof, and the clad side elevation would not be out of keeping in a rural setting. The works would not result in any greater impact on openness due to the scale and positioning.

It is considered that the proposal would comply with Policy LP57 of the Kirklees Local Plan and the aims of Chapter 13 of the NPPF. The proposed extensions would fail to be in-keeping with the character of the host building and fail to integrate with the rural character of the area.

3 – Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions and Alterations SPD

goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

5 Stocks Lane: adjoins the application site to the north-east.

Overlooking: The proposal would not feature any side facing windows and would feature two rear facing windows. The replacement of the existing openings with windows is not considered to have any detriment to adjoining occupants as a result of greater overlooking. This is a continuation of the existing relationships on site.

Overshadowing/loss of light: The scheme has been reduced since the previous application on site and would now be set in 4.5m from the side of the dwelling and have a maximum height of 1.6m. Therefore, the proposal would be set down from the maximum height of the dwelling and would not extend as far as the existing two storey rear projection on the dwelling. It is considered that, the proposal would be marginal in the context of the host dwelling and that when coupled with the orientation of the dwelling and the location of the extensions, the proposal would not result in any significant additional overshadowing or loss of light.

Overbearing: There would be approximately 14m between the rear elevation of no.5 and the proposed extension. The proposal has been significantly reduced compared to the previous applications on site and would only result in a height increase of 1.6m. It is considered that, the proposal would be set down from the ridge and back from the two storey projection on the dwelling and would not reduce the separation distance between the dwellings. Therefore no significant issues would be raised regarding overbearing.

It is considered that due to the location of the proposal, no further properties would be impacted by the development

It is considered that the proposal would not take up a significant amount of useable amenity space and sufficient amenity space would be retained if the proposal was to receive permission. Therefore, the proposal would be acceptable in terms of the residential amenity of future occupiers of the dwelling.

Due to the location of the existing dwelling and the scale of the extension, there would be no significant harm to the residential amenity of neighbouring residents as a result of the proposal.

4 – Impact on highway safety:

The proposals would result in some intensification of the domestic use of the property. However, due to the proposal not impacting existing parking arrangements on site, the proposal would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions and Alterations SPD.

5– Other matters:

Carbon Budget

The proposal is a domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

6 – Representations:

One representation received which raised the following concerns:

- Loss of light

Officer response: Officers have assessed that due to the proposal not increasing the maximum height of the dwelling or extending beyond an existing two storey projection, no significant concerns would be raised regarding loss of light.

- Overlooking

Officer Response: The proposal would not feature any side facing windows and therefore no significant issues would arise regarding overlooking. Whilst the development replaces existing roof lights with windows these are not considered to have any greater impact on adjoining occupants.

- Impact on the character of dwelling

Officer response: officers consider that the proposal would respect the existing roof design of the host dwelling, would use appropriate materials and would not result in a significant increase in the volume of the dwelling. The character rural character would be maintained.

- Description of the development

Officer response: Officers consider that the description of dormer is appropriate in this instance as the proposal would project vertically beyond the plane of a pitched roof. The submitted plans have been assessed fully.

- Not receiving a neighbour notification

Officer response: A site notice was posted for this application on 17.04.2025 in line with the Kirklees Council Development Charter. Three additional days have been added to the 21 days to account for Good Friday, Easter Monday and May Bank Holiday.

7 – Negotiations:

N/A

8 – Conclusion:

This application for the erection of a dormer to Upper Croft Barn, 2, Stocks Lane, Stocksmoor, Huddersfield, HD4 6XS been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations.

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.

As set out above, 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: 2025/90823

Officer Recommendation: APPROVE

Conditions and Reason:

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.

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 ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP23, LP24 and LP51 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

2. The external walls and roofing materials of the extension hereby approved shall be coursed natural stone, timber cladding and reproduction stone slates all to match the materials used in the existing dwelling.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework.

NOTE: Please note that the granting of planning permission does not overrule private legal rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works as

construction and maintenance or parking of vehicles may involve access to land outside your ownership or subject to private rights of way.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) to obtain this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

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 13.00 hours, Saturdays, with no working Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan	01		25/03/2025
Proposed	03	A	25/03/2025
Existing	02		25/03/2025
CCS			25/03/2025

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 Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

No further alterations requested as they were not deemed necessary.