

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:	2025/62/90858/E
Site Address:	4, Baptist Street, Staincliffe, Batley, WF17 7AZ
Description:	Demolition of existing conservatory and erection of single storey front and rear extensions
Recommending Officer:	Joshua Merriman

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 27-May-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/90858
Location	4, Baptist Street, Staincliffe, Batley, WF17 7AZ.
Proposal	Demolition of existing conservatory and erection of single storey front and rear extensions.
Publicity end date	23/05/2025
Number of representations received	1
Kirklees Local Plan Allocation/Designation	The application site has no allocation within 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	2003/93105 – Erection of conservatory – Conditional Full Permission. 2005/94075 – Erection of conservatory – Conditional Full Permission.
Consultations required	Yes	KC Environmental Health – Conditions and footnote have been recommended as the application site lies on potentially contaminated land.

Assessment

The application seeks planning permission for the demolition of existing conservatory and erection of single storey front and rear extensions. The proposed rear extension will project 3.98m from the rear elevation of the existing building, with a maximum height of 3.5m, eaves height of 2.54m, and a width of 3.48m. The proposed front porch will project 1.33m from the front elevation of the original building, with a maximum height of 3.13m, eaves height of 2.42m, and a width of 3.66m. The Kirklees SPD sets out that front extensions should comply with certain parameters set out at paragraph 5.1, 5.14, and 5.6 on pages 23, 24, and 27 (and listed below) and if they do not, they need to be justified:

Single storey front extensions permitted where:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
The house is set well back from the pavement or is well screened	The house is well set back from the nearest highway.	
The extension is small, subservient to the original building, well-	The front extension is limited in scale, subservient to the	

designed and would not harm the character of the original house or the area	original building, and to be faced in materials to match the host dwelling, therefore, it is considered that it would not harm the character of the original building or the area.	
The materials and design match the existing features of the original house	The proposal is to be faced in materials to match the existing building.	
The extension would not unreasonably affect the neighbouring properties	Due to the limited scale of the extension, it is considered that there will be no unreasonable effects on neighbouring properties.	
Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	At least 50% of the rear garden will be retained.	
Be set behind the original building, and not projecting beyond the sides	The extension will be completely set behind the original building, not projecting beyond the sides.	
Maintain external access to the rear garden	The current external access to the rear garden at the rear of the dwelling will be maintained.	

Single storey rear extensions should:		
be in keeping with the scale and style of the original house	The rear extensions is subservient to the original house and is to be constructed using matching materials.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	More than half of the total area around the original house will remain.	
not exceed 4 metres in height	The maximum height of the rear extension is 3.5m, not exceeding 4m.	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties		The proposal will project 3.98m from the rear elevation of the extension, exceeding the 3m requirement for semi-detached and terraced houses. However, as the adjoining neighbours have erected rear extensions, the projection of this extension will not cause significant overshadowing, overbearing, light, or outlook and can be considered acceptable.
where they exceed 3m in length the eaves		The eaves height of the extension is 2.54m, which is considered a

height should generally not exceed 2.5 meters		minimal and insignificant breach.
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		A gap of 1m cannot be left to the property boundary at either side due to the terraced nature of the houses, however, as there will be no significant impacts on neighbouring properties as a result this can be considered acceptable.

Design and Visual Amenity:

Summary of local street scene/character:

The application site refers to 4, Baptist Street, Staincliffe, Batley, a two-storey terraced property faced in natural stone, with a pitched, gable roof, and uPVC windows and doors. The application property lies within a relatively uniform street scene, being surrounded by properties of a similar size, scale, character, age, and appearance, and being sited in a uniform terraced row. Furthermore, the application dwelling benefits from a small area of amenity space to the front and rear of the house.

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	As the extensions are subservient to the existing building and to be faced in materials to match the host dwelling, 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 subservience of the proposals and the use of matching 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 extensions are subservient to the original building in terms of 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	The walls are to be faced in materials to match the existing building, as per the application forms.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The roof is proposed to match that of the host dwelling, as per the application forms.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP	All windows proposed in the extensions are considered proportionate to those in the existing building in terms of size and positioning.	✓

	Chapter 12 of the NPPF		
Accessibility for all users	- KDP 17 of the SPD - Policy LP24 Design (f) - Chapter 12 of the NPPF	Private domestic extension – no alternate access arrangements required.	✓

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:

- 3, Baptist Street, Staincliffe, Batley, WF17 7AZ – Adjoined neighbour to the East.
- 5, Baptist Street, Staincliffe, Batley, WF17 7AZ – Adjoined neighbour to the West.
- 6, Baptist Street, Staincliffe, Batley, WF17 7AZ – Neighbouring property to the North.

	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	As there are no windows proposed in the side elevations of either extension, and the windows proposed face onto properties an adequate distance away, it is considered that there will be no significant impact on the privacy of neighbours.	✓
Impact on light and outlook of neighbours (to	KDP 4, 5, 6 of the SPD	Given the limited scale of the proposals, and the existence of rear	✓

sides, rear and front)	• Policy LP24 Design (b) • Chapter 12 of the NPPF	extensions on both adjoined properties (causing a lesser impact on the rear elevations of neighbours) it is considered that there will be no significant impact on light and outlook of neighbours.	
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	As aforementioned, due to the limited scale of the proposals and the impacts of the proposal being lessened by the existing rear extensions in the terraced row, it is considered that there will be no significant impact on neighbouring properties with regard to overbearing or overshadowing.	✓
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
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Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The proposals are set far enough back from the nearest highway to have no significant impact on highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The number of bedrooms in the property will not increase as a result of the proposal, and the parking arrangements for the dwelling will not be interfered, therefore, the current parking provision 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	The proposal is not close enough to have any significant impact upon trees.	✓

	Chapter 12 of the NPPF		
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 - 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	- 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
The front porch may affect the amount of light entering the neighbouring property.	This is addressed in the residential amenity section of this report, above.	✓

The front garden (with shared flags) is finished so that the neighbouring garden is unaffected.	This would not constitute a material planning matter, but rather a civil matter.	✓
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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: 2025/90858

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

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.

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.

4. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- *Land Contamination Risk Management (LCRM)*
- *BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.*

NOTE: The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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
Location Plan	-	-	09/04/2025
Existing and Proposed Side Elevations	-	-	09/04/2025
Existing and Proposed Plans and Elevations	-	-	09/04/2025
Proposed Site/Block Layout	Site Plan	-	09/04/2025
Application Forms	-	-	09/04/2025
Climate Change Statement	-	-	09/04/2025

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: 23/05/2025