

**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:	2025/62/90898/E
Site Address:	Woodville, 12, Cawley Lane, Heckmondwike, WF16 0BJ
Description:	Erection of extensions
Recommending Officer:	Jennifer Booth

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: 10-Jun-2025

OFFICER REPORT

Site Description

12 Cawley Lane is a detached property with a render finish. The dwelling is double fronted in appearance with the principal elevation facing away from the road. The road facing elevation has a projecting element which forms the stair case for the property. The dwelling has a detached garage to the side with a drive to the roadside of the property and a larger, enclosed garden to the opposite elevation.

The properties surrounding vary in terms of palette of materials, age and size.

Description of Proposal

The application is seeking planning permission to modify the existing permission under 2024/93092 for single storey extensions to the front, a two storey extension to the north side, raising the roof to form accommodation and roofing over the two storey rear extension. The changes proposed include altering the materials from render to brick with render accents, change the roof from a hipped roof to gables and associated alterations.

Relevant Planning History

2024/92535 - Erection of extensions and alterations - Withdrawn

2024/93092 – Erection of extensions and alterations – Approved

2025/90086 – Non-material amendment to change render to brick – Refused

2025/90291 – Non-material amendment to change render to brick and increase roof lights on front – Pending determination

Representations

The application was advertised by neighbour letters, which expired on 23/05/2025

As a result of the above publicity, no representations have been received.

Consultation Responses

None

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 UNALLOCATED on the Kirklees Local Plan Proposals Map

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

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 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions & Alterations SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

Planning approval for extensions have previously been approved. The current application under consideration seek permission to alter the scheme in terms of the roof design, minor alterations to the fenestration and the use of brick. As the scale of the extensions and alterations have been assessed and approved previously, the assessment will consider the changes proposed.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state 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 House Extensions & Alterations SPD 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.

Roof design

Paragraph 4.2 of the House Extensions & Alterations SPD states that “the local context, character and identity of the area will be a significant factor in determining the appropriate form and scale of alterations”. Paragraph 4.6 states “where extensions seek to differ from the existing materials, design, **roof pitch** or detailing, proposals will be considered on a case by case basis.”

The property at present has a hipped roof form. The previous approval continued with the hipped roof form with a slight increase in height. The current proposals would see the hipped roof form altered to a gable roof form. Given the mix of house types and styles in the area, the proposed pitched roof form would not be out of character with the wider area and can be considered to be acceptable in terms of visual amenity.

Change of materials

Paragraph 4.2 of the House Extensions & Alterations SPD states that “the local context, character and identity of the area will be a significant factor in

determining the appropriate form and scale of alterations". Paragraph 4.6 states "where extensions seek to **differ from the existing materials**, design, roof pitch or detailing, proposals will be considered on a case by case basis."

The property is a rendered dwelling at present. Whilst the proposal would see the property faced in brick for the most part, there would still be render detailing which would tie in with the original house. The area surrounding is predominantly brick properties and as such the change to materials would not be out of character with the wider area. The use of brick can therefore be considered to be acceptable in terms of visual amenity.

Fenestration

Paragraph 4.2 of the House Extensions & Alterations SPD states that "the local context, character and identity of the area will be a significant factor in determining the appropriate form and scale of alterations". Paragraph 4.6 states "where extensions seek to differ from the existing materials, design, roof pitch or **detailing**, proposals will be considered on a case by case basis."

The changes to the fenestration would not alter the overall appearance of the dwelling and can therefore be considered to be acceptable in terms of visual amenity.

Having taken the above into account, the proposals would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

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 & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

The proposed development has been carefully assessed in terms of its scale, form, and relationship with neighbouring properties. It is noted that the proposed works would not result in any significant increase in the overall scale or massing of the built form, and as such, the development is considered to remain proportionate and in keeping with the character of the existing property.

Importantly, the proposal does not seek to reduce the separation distances between the host dwelling and the adjacent properties. The existing spatial relationships, including garden boundaries and building orientations, would be maintained. As a result, the development would not introduce any new opportunities for overlooking or a loss of privacy to the neighbouring occupiers.

Furthermore, due to the modest nature of the alterations and the retention of appropriate separation distances, it is not considered that the proposal would result in any unacceptable level of overshadowing or loss of light to nearby dwellings. Similarly, the scale and siting of the proposed development would avoid any overbearing impact or sense of enclosure for neighbouring residents.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions & Alterations SPD and Chapter 12 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will not result in any intensification of the domestic use. As such, the existing parking provision to the front and side of the property is considered to represent a sufficient provision. Bin storage for the dwelling would not be moved as part of the proposals. As such the scheme 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 & Alterations SPD.

Other matters:

Carbon Budget

The proposal is a small scale 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.

There are no other matters for consideration.

Representations:

None

Negotiations:

None

Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Conclusion:

This application for extensions and alterations to 12 Cawley Lane has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable.

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: 2025/90898

Officer Recommendation: Approve

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of the National Planning Policy Framework.

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	Web ID	Date Received
Location Plan	-	1083393	15/04/2025
Location Plan	-	1083394	15/04/2025
Existing & Proposed Site Plan	002	1084433	15/04/2025

Plan Type	Reference	Web ID	Date Received
Existing Elevations	004 b	1083397	15/04/2025
Existing Floor Plans	003 d	1083401	15/04/2025
Proposed Elevations	006 e	1083399	15/04/2025
Proposed Floor Plans	005 e	1083400	15/04/2025
Planning Statement	-	1083403	15/04/2025
Climate Change Statement	-	1084434	15/04/2025

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 Planning 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.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated 30/05/2025