

**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:	2025/62/90907/W
Site Address:	10, Lane Ings, Marsden, Huddersfield, HD7 6JP
Description:	Raising of eaves and ridge height of the roof, alterations to roof from hipped roof to create gable and erection of front and rear dormer extensions
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.

Emma Thompson

AUTHORISED OFFICER

Date: 23-May-2025

Officer Report – 2025/90907

Site Description

The application site refers to 10, Lane Ings, Marsden, HD7 6JP, a two-storey end terrace property faced in natural stone with a pitched blue slate roof and PVC windows and doors. The application property lies in a relatively varied street scene, containing neighbouring houses of a similar size, scale, character, and appearance alongside houses of differing characters and scales on the opposing side of Lane Ings. Furthermore, the application dwelling benefits from a small area of amenity space to the front of the dwelling as well as garden space to the rear.

Description of Proposal

The Scheme

The applicant is seeking permission for raising of eaves and ridge height of the roof, alterations to roof from hipped roof to create gable and erection of front and rear dormer extensions.

The proposed dormers would project 2.32m from the roof of the original building, with a maximum height of 1.28m, eaves height of 1.08m, and a width of 2.7m.

The dormers are to be faced in composite boarding, with flat roof membranes, and PVC windows.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

- Climate Change Statement

History of Negotiations / Amendments Received

No amendments have been requested by Officers.

Relevant Planning History

There is no relevant planning history at the application site.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2015).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 15/05/2025.

Consultation Responses

No consultations were deemed necessary as part of this application.

Allocation and Policy

The site is allocated in a bat alert layer and twice buffer within the Kirklees Local Plan (adopted 2019).

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

LP1 Achieving Sustainable Development

LP2 Place Shaping

LP21 Highway and Access

LP22 Parking

LP24 Design

LP30 Biodiversity and Geodiversity

LP51 Protection and Improvement of Local Air Quality

LP52 Protection and Improvement of Environmental Quality

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, 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.

Chapter2 Achieving sustainable development

Chapter12 Achieving well-designed places

Chapter14 Meeting the challenge of climate change, flooding and coastal change

Chapter15 Conserving and enhancing the natural environment

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)

House Extensions & Alterations SPD (adopted June 2021)

The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).

The Planning and Compulsory Purchase Act 2004.

The Conservation of Habitats and Species Regulations 2017

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

Assessment

The following matters are considered in the assessment below –

1. Principle of development
 1. Impact upon the character and appearance of the area (including impact upon historic environment)
 2. Impact upon residential amenity
 3. Impact upon highway safety
 4. Climate Change
 5. Other matters – e.g. trees/ecology (e.g. bats)
 6. Representations
 7. Conclusion

1 – Principle of Development

Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Policy LP2 of the KLP sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

Paragraph 5.25 of the House Extensions and Alterations SPD goes on to state “the design of dormer windows and roof extensions should reflect the character of the area, the surrounding buildings and the age, appearance and materials of the existing house. Ideally, dormers should be located to the rear of a house and should be as small as possible with a substantial area of the original roof retained.”

Paragraph 5.27 of the House Extensions and Alterations SPD goes on further to say that dormer windows should:

- relate to the appearance of the house and existing roof;
- be designed in style and materials similar to the appearance of the existing house and roof;

- not dominate the roof or project above the ridge of the house;
- be set below the ridgeline of the existing roof and within the roof plane; and
- be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.

Given the above, subject to condition, it is considered that the proposed development constitutes appropriate development and complies with relevant policy.

2 – Impact on character and appearance of the area:

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’*.

Key Design Principles 1 and 2 of the Council’s adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

The recommendations of Paragraphs 5.25 and 5.27 of the House Extensions and Alterations SPD are outlined in the previous section of this report titled ‘principle of the development’.

Regarding the proposed dormers, it is considered that both the front and rear dormer would not dominate the roof or project above the ridge of the house, being set entirely within the roof plane, and would be aligned with existing dormer windows of neighbouring properties. Furthermore, as there are examples of flat roofed dormers in the street scene, including a similarly designed one at number 14, it is considered that the proposed dormers would relate well to the character of the area, the appearance of the house and the existing roof of the application property. Finally, it is considered that a substantial portion of the roof plane is retained at the front and rear of the dwelling, and the dormers are faced in materials that are sympathetic to the original house.

The proposed changes to the roof from a hipped roof to form a gable are considered to relate well to the terrace containing the application property as the two neighbouring properties within the terrace also show gable roofs, and they are prominent elsewhere in the street scene.

Considering the above assessment, the proposed development is considered to comply with Policies LP1, LP2, and LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2, and Paragraphs 5.25 and 5.27 of the House

Extensions and Alterations SPD, as well as policies within Section 12 of the National Planning Policy Framework.

3. Impact on Residential Amenity

Sections B and C of LP24 states that alterations to existing buildings should: “...*maintain appropriate distances between buildings*’ and ‘...*minimise impact on residential amenity of future and neighbouring occupiers.*”

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Key Design Principles 3, 4, 5 and 6 of the Council’s adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

Due to the limited scale of the proposed dormer extensions, it is considered that they will have no significant impact on neighbouring properties by way of overshadowing, overbearing, or loss of light. Furthermore, as the opposing neighbouring dwelling (7 Lane Ings) and neighbouring property to the rear (14 Woods Avenue) are considered to be an adequate distance away from the application property, it is also considered that there will be no significant impact on the privacy of neighboring occupants.

The proposed changes to the roof are not considered to have any impact on the residential amenity of neighbouring dwellings, as no windows are proposed in the newly formed gable end, and the scale of the proposed gable is not large enough to cause any significant impacts with regard to overshadowing or overbearing.

It is therefore considered that the development complies with Policy LP24 of the Kirklees Local Plan, Key Principles 3, 4, 5, and 6 of the House Extensions and Alterations SPD, as well as Paragraph 135 of the National Planning Policy Framework.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council’s adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

Principle 19 of the Council’s adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

It should be noted that although nothing specific is detailed on the submitted plans, the site will retain adequate space for waste storage.

Although the number of bedrooms at the property will increase from two to three as a result of the proposal, this will not increase the off-street parking requirement at the application property, with this remaining at two vehicles. As there is currently no off-street parking at the property or neighbouring dwellings and the provision is not increasing, it is considered that the current parking provision is acceptable to remain.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, Principle 15 of the Council's Street Design Guide and Chapter 9 of the National Planning Policy Framework.

5. Climate Change

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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Other Matters

Impact upon Ecology

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat roosting area and twite buffer, the proposals are relatively modest, and in this case would not significantly impact the existing roof space which has the potential for providing a roost for bats and twites. Therefore, it is considered unlikely that the proposals would have a significant impact on the bat or twite population. An informative would be included making the applicant aware that if bats or twites are discovered on

site during the works, any development shall cease, and the applicant is advised to contact Natural England for advice on how to move forward. Subject to informative the proposal is considered to be acceptable in this regard.

7. Representations

No representations have been received.

8. 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, the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation
PERMISSION

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2025/90907

Officer Recommendation: Conditional Full Permission

Conditions

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 (as amended).

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 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

2. 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.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 42 of The Conservation of Habitats and Species Regulations 2017. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

NOTE: The applicant is advised that under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2018, the developer is required to take account of the timing of works in relation to the bird breeding season. An inspection to check for the presence of nesting birds is advised if demolition and/or site/vegetation clearance works are likely to take place during the bird breeding season (1st March to 31st August inclusive). If twites are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	01 – Planning Drawing	-	08/04/2025
Application Forms	-	-	08/04/2025
Climate Change Statement	-	-	08/04/2025

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 16/05/2025