

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:	2025/62/90955/W
Site Address:	The Noddle, Halifax Road, Scapegoat Hill, Huddersfield, HD7 4NS
Description:	Partial demolition of existing garage and erection of replacement garage, erection of single storey rear extension, installation of solar panels and associated external alterations
Recommending Officer:	Nicole Helliwell

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 29-May-2025

Officer Report

Reference No. 2025/62/90955/E

Site Address: The Noddle, Halifax Road, Scapegoat Hill, Huddersfield, HD7 4NS

Proposal: Partial demolition of existing garage and erection of replacement garage, erection of single storey rear extension, installation of solar panels and associated external alterations

Site Description

The application relates to The Noddle, a single-storey detached property situated in Scapegoat Hill, Huddersfield. The dwelling is constructed in natural stone and incorporates a dual-pitched roof finished in stone slates. The neighbouring properties are of residential use and comprise stone built dwellings of varying architectural styles. The site is not within a conservation area, nor are there any Public Rights of Way (PROW) within close proximity to the site.

Description of Proposal

The proposal is for the erection of a replacement garage, the erection of a single storey rear extension, installation of solar panels and associated external alterations. The existing garage would be partially demolished to allow for the proposed works. Permission is not required for the internal alterations to the property and therefore, the only matters for consideration are the proposed enlargements and exterior alterations. The details of the proposal have been summarised below:

- Single storey rear extension (projection approx. 4.3m, maximum height approx. 3.1m, and eaves height approx. 2.85m)
- Replacement garage (length approx. 13.7m, depth approx. 9.95m, maximum height approx. 4.6m and eaves height approx. 2.7m)
- Alterations to fenestration within the eastern elevation of the dwelling
- Installation of solar panels within the south-facing roof plane

History of negotiations / amendments received

No amendments were sought or received during the course of the application.

Relevant Planning History

- **2025/90954:** Certificate of lawfulness for proposed demolition of existing garage and erection of replacement garage. [Planning application details | Kirklees Council](#) – Pending Consideration

- **2019/92803:** Demolition of existing dwelling and erection of 6 dwellings. [Planning application details | Kirklees Council](#) – Withdrawn
- **2013/90676:** Change of Use from existing residential (C3) to children's home (C2). [Planning application details | Kirklees Council](#) – Invalid
- **91/00705:** Erection of detached double garage and formation of parking area. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **90/05911:** Erection of single storey extension, pitched roof to replace flat roof and replacement of garage roof. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **90/04283:** Erection of detached stable block with integral retaining wall and roof garden. [Planning application details | Kirklees Council](#) – Conditional Full Permission

Representations

The application was publicised by site notice, which expired on 28th April 2025. As a result of the above publicity, no representations have been received.

Consultation Responses

Not Applicable.

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 designated Green Belt on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 57** - Extension, Alterations or Replacement within Green Belt

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.

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)
- House Extensions and Alterations SPD (adopted 29th June 2021)

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.

- **Chapter 2** - Achieving Sustainable Development
- **Chapter 12** - Achieving Well-Designed Places
- **Chapter 13** - Protecting Green Belt Land
- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment

Assessment

1. Principle of development

Impact on Green Belt

The application site is located on land allocated as Green Belt on the Kirklees Local Plan (KLP). As such, the proposal will be assessed having regard to KLP Policy LP57 and Chapter 13 of the NPPF. The National Planning Policy Framework and the Kirklees Local Plan both support limited extensions to buildings within the Green Belt. For extensions within the Green Belt to be considered acceptable, it is essential that they should not impact on the open character of the Green Belt nor be discordant in themselves or in relation to the host property.

Paragraph 2.12 of the House Extensions and Alterations SPD states that when considering any application, substantial weight will be given to any harm to the Green Belt and applications may be refused if it is considered that the development would result in the encroachment of urban character into a countryside setting.

Paragraphs 153 and 154 of the National Planning Policy Framework states that certain forms of development are exceptions to 'inappropriate development'. One of these is the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building

The host property is a residential dwelling located off Halifax Road. In respect of the openness of the Green Belt, openness has been established to have both a visual and spatial aspect. The proposal would introduce additional built development within the Green Belt which would have some effect on the character and openness. The submitted plans confirm that the property currently benefits from a garage, however, this would be partially demolished as part of the application.

It is important to begin by understanding what constitutes the "original building". The glossary within the National Planning Policy Framework defines "original building" as: "A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

Original Building in 1948:

- Original House - 188.5m²
- Outbuilding – 9m²

Total Floor Space: 197.5m²

Existing Extensions to remain:

- Existing Detached Outbuilding – 81.6m²
- Existing Extensions – 106m²

Total Floor Space: 187.6m²

Proposed Extensions:

- Single-Storey Rear Extension - 10.85m²
- Replacement Garage - 135m²

Total Floor Space : 145.85m²

The proposed additions (Single-storey rear extension & replacement garage) cumulatively with the existing enlargements would equate to a percentage increase in floor space by approximately 68.8% over the original house. Whilst it is acknowledged that this is a large increase, it is also noted that there is no formal definition of disproportionate additions and each application must be assessed on its own merits. Previous case law has demonstrated that the assessment of disproportionate additions cannot be made purely in a mathematical way by reference to size when measured in floor space, volume or mass, but that appearance and visual impact are an important part of a proper evaluation. In this instance, weight is given to the effect of the proposal

on the openness of the Green Belt and on the character and appearance of the area. The proposed development would be subservient additions and would have an acceptable scale relative to the original dwellinghouse. Furthermore, given the topography of the site and the size of the host property and its associated curtilage, it is considered that the proposal would not have any detrimental impact on the character or openness of the green belt.

On this basis, it is considered that the proposed development would preserve openness and would constitute appropriate development in the Green Belt in accordance with Policy LP57 of the Kirklees Local Plan and the guidance contained within Chapter 13 of the NPPF.

1. Impact on Visual Amenity

Key Design Principle 1 of the House Extensions & Alterations Supplementary Planning Document (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 SPD goes on to 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.

Part of Policy LP57 of the Kirklees Local Plan stipulates that *‘the design and materials used (for extensions to buildings) in the Green Belt should be sensitive to the character of the Green Belt setting.’*

Replacement Garage

The garage proposed would have a length of approx. 13.7m, a depth of approx. 9.95m and a maximum height of approx. 4.6m. The garage would be faced in natural stone and would incorporate a dual-pitched roof finished in stone slate to match the appearance of the host property. Although the proposed structure would have a larger scale when compared with the existing garage, it would still appear subservient to the original dwellinghouse and would have limited visibility from public vantage points due to the topography of the site. For these reasons, it is considered that the proposal would not have any significant visual impact on the character and appearance of the host property and wider street scene.

Single Storey Rear Extension

The proposed single storey extension would project approximately 4.3m from the rear elevation of the original dwellinghouse. The enlargement would be faced in natural stone and would incorporate flat roof with a lantern. Although this feature would generally constitute poor design, the enlargement would be sited to the rear of the dwelling with limited visibility from public vantage points. Furthermore, it would be modestly proportioned and subservient in relation to

the host property. On this basis, the proposed development would respect the visual amenity of the host property and wider street scene and would be acceptable.

Alterations to Fenestration

The submitted plans confirm that the fenestration within the eastern elevation of the dwelling would be replaced with bi-fold doors. Given that the fenestration would be of an appropriate design and scale, they are considered to respect the appearance and character of the host property and surrounding area.

Solar Panels

The submitted plans confirm that solar panels would be fitted to the south-facing roof plane. The panels would generate renewable energy at the property which would lead to a reduction in carbon emissions. Due to the elevated and isolated positioning of the dwelling, the solar panels would have limited visibility from public vantage points and are not considered to have a significant impact on the visual amenity of the host property and surrounding area.

Summary

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of the surrounding street scene, complying with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 and 13 of the National Planning Policy Framework.

2. Impact on Residential Amenity of Neighbouring Residents

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 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.

The submitted plans confirm that the host dwelling is situated in an isolated location with the nearest residential property (16 Slaithwaite Gate) is located approximately 68m away from the proposed development. Given that the separation distance retained would be substantial, it is considered that the proposal would have an acceptable impact on the neighbour's residential amenity.

Summary

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 and Alterations SPD and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed development would not intensify the domestic use at the dwelling or affect the existing parking arrangements on site. Therefore, the development is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 9 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

3. 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 relevant to the determination of this application.

4. Representations

No representations were received following the statutory publicity.

5. Conclusion

This application for the partial demolition of existing garage and erection of replacement garage, erection of single storey rear extension, installation of solar panels and associated external alterations at The Noddle has 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. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is 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. 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: 2025/90955

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP52 and LP57 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The single storey extension hereby approved shall be constructed from natural stone for the external walls. The materials of construction shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapters 12 and 13 of the National Planning Policy Framework.

4. The garage hereby approved shall be constructed from natural stone for the external walls and stone slate for the roof. The materials of construction shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapters 12 and 13 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	Date Received
Existing Plan and Location Plan	24122-0101-R01	03/04/2025
Existing Elevations	24122-0102-R01	03/04/2025
Proposed Plans and Elevations	24122-0301-R02	03/04/2025
Climate Change Statement	-	03/04/2025

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. In this case, the design of the original scheme has been found acceptable. No further amendments or details were sought thereafter.

Report Dated: 19/05/2025

