

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:	2025/62/91020/E
Site Address:	108, Botany Lane, Lepton, Huddersfield, HD8 0NF
Description:	Erection of two storey side extension and single storey rear extension
Recommending Officer:	Faiza Bano

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: 30-Sep-2025

OFFICER REPORT

Site Description

The site addressed in this application is 108, Botany Lane, Lepton, Huddersfield, HD8 0NF; a two-storey end terrace with a stone finish. The site benefits from an amenity area to the front and rear, a driveway and garage.

The site is within the Green Belt on the Kirklees Local Plan.

Description of Proposal

The application seeks planning permission for the construction of a two-storey side extension and single storey rear extension

Two Storey Side Extension

The two storey side extension projects out by 4.5m, has an eaves height of 4.5m, and an overall height of 7.1m and is set back by 500mm. The side extension will feature openings along the front, side and rear elevations and will be finished in render and tiles that match the existing. The proposed two storey extension is in line with the ridge of the original roof. The extension will form part of the open plan kitchen and dining at ground floor level and introduce a third bedroom at first floor level.

Single Storey Rear Extension

The rear extension has a maximum projection of 2 metres, spanning a width of 4.8m. The rear extension will be designed with a pitched roof, including roof lights, with an eaves height of 2.6m. The extension will feature a glazing system along the rear and will be finished in render.

History of Negotiations

An agreement to apply a stone finish to the front and rear elevations was sought via email, in order to ensure the proposed development aligns with local character and enhances visual integration within its setting.

Following concerns regarding the proposed development in the Green Belt and its compliance with Local Plan Policies LP57 and LP24, the following amendments were made to address concerns:

Key Policy Concerns Raised:

- The original dwelling must remain the dominant element in terms of size and appearance (Policy LP57).

- Extensions should be subservient to the host dwelling (Policy LP24 and House Extensions & Alterations SPD).
- The cumulative impact of previous extensions, including a detached garage, was a concern.
- The scale and massing of the side extension appeared dominant.
- A 500mm set back and lower ridge line were recommended to reduce visual impact and ensure subservience.
- The rear single-storey projection was considered acceptable, subject to the above amendments.

Amendments Made:

- The side extension amended to include a 500mm set back from the front wall of the original dwelling.
- The ridge height of the extension was reduced in line with the set back to improve subservience.
- It was noted that further reduction to the ridge height was not feasible without altering the roof pitch, which would negatively affect the appearance in relation to the host dwelling.

These changes are considered acceptable sufficiently address concerns regarding dominance and subservience.

Relevant Planning History

89/06248: Erection of detached garage - GRANTED CONDITIONALLY

Representations

The application was publicised by site notice in accordance with the Council's adopted Development Management Charter. The publicity period expired on the 16th of June 2025. As such, no representations were 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 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
- **LP22** – Parking
- **LP24** – 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 and beautiful 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

1 – Principle of development:

The application site is located on land allocated as Green Belt on the Kirklees Local Plan. The proposal involves the erection of a two storey side extension and single storey rear extension.

Chapter 13 of the NPPF requires Local Planning Authorities to regard the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this 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 the openness of the Green Belt and Ver Special Circumstances:

In 1989, permission was granted for the erection of a detached garage.

The property, in its current form, has been extended with a single-storey side extension which, based on aerial imagery and historical mapping, appears to have been constructed during the 1990s and there is no record of planning permission having been granted for this extension. Given the single storey

extension has been in situ for over 25 years, and is immune from enforcement, substantial weight is given to its permanence and integration into the fabric of the dwelling.

The detached garage approved in 1989 has been constructed and forms part of the established lawful development on site and, therefore, both structures are part of the sites baseline when assessing the impact of further extensions.

The development would result in a significant volume increase of around 75% when taking into account the original building and subsequent development.

Assessment

Whilst the cumulative quantitative increase is significant, the Green Belt assessment requires consideration of both numerical impact and qualitative design factors.

The proposed side extension replaces an existing single-storey addition on hardstanding which is wider than the existing structure it replaces as well as two storey. However, the development does not result in further encroachment into undeveloped Green Belt land and occupies an area between the house and the garage that is within the curtilage and would continue the linear development. The design has been amended and includes a step back and lowered ridge height to address concerns regarding subservience and to ensure the host remains dominant as required by Policy LP57 of the Local Plan as well as the NPPF paragraph 154.

To achieve this, the side extension now includes a 500mm set back from the front elevation and a reduced ridge height, helping to reduce its overall mass and visual dominance. While the ridge could not be lowered further without compromising the roof pitch and visual harmony with the host dwelling, the current design is considered to strike an appropriate balance.

The rear extension remains modest, with a two-metre projection, and is designed to be subordinate. It features a gable roof that is carefully proportioned, and the use of matching materials and an aligned ridge line ensures a cohesive appearance with the existing dwelling.

Although the proposed extension introduces a first-floor element and increases the width beyond the existing footprint, it remains within the residential curtilage and does not extend into previously undeveloped Green Belt land. The design seeks to minimise bulk and massing through careful roof design and proportioning, thereby limiting the impact on the openness of the Green Belt.

The site accommodates a detached garage and a previous side extension.. The cumulative impact of the proposed development, when considered alongside existing built form, is significant but taking into account amended design to ensure the extension appears subservient as well as the character

of the host and existing development it can be justified in this instance.

In conclusion, the proposal has been carefully designed and amended to comply with the requirements of Policy LP57 and the NPPF. The original dwelling remains the dominant element in terms of size and appearance, and the development does not result in a greater impact on openness. As such, the proposal is considered an appropriate form of development in the Green Belt.

Impact upon visual amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby 131 provides a principal consideration concerning design which states:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers.

Paragraph 135 of the NPPF is of relevance, in particular the following parts:-

- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping*
- *c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’*

In addition, the Council's adopted House Extensions and Alterations Supplementary Planning Document (adopted June 2021) is relevant to the consideration of this application. Specifically, the following policies / sections of the document.

- Key design principle 1 (Local character and street scene) which sets out 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.
- Key design principle 2 (Impact on the original house) which details 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 detail.

LP24 (Design) and the House Extensions SPD, extensions should be subservient to the host building. Paragraph 5.31 (Bungalows) sets out that careful consideration should be given to two storey and first floor extensions to bungalows. These can cause a negative impact on the street scene and character of the area through changing the height, rhythm or form of a roof in relation to the rest of the street scene.

The proposed two-storey side extension projects beyond the footprint of the existing single-storey addition, resulting in an increase in overall bulk and massing. To address concerns regarding its visual impact and integration with the host dwelling, the scheme has been amended to include a reduction in height and a minimum 500mm setback from the principal front elevation. These changes ensure the extension reads as a subordinate addition, reducing its visual dominance and enhancing its relationship with the surrounding street scene.

While two-storey extensions are present within the locality, the revised proposal has been carefully designed to remain respectful of the host property. Despite its increased scale, the extension's proportions, architectural detailing, and positioning ensure it complements rather than competes with the original dwelling. The result is a balanced and sympathetic addition that preserves the character of the property and contributes positively to the visual amenity of the area.

The single storey rear extension projects out by 2m and spans a width of 4.8m, with an eaves height of 2.6m. The extension is designed with a pitched roof and is not considered to have any impact on neighbouring properties. The proposal aligns with the guidance set out in the SPD.

Given the nature of the proposal and the context of the site, the extension will be viewed alongside the host two-storey dwelling, ensuring it remains visually subordinate in both scale and size. The design and detailing of the extension have been carefully considered to compliment the architectural features of the existing property. Furthermore, due to the location, scale, and overall massing of the host dwelling, the development will not negatively impact the properties visual character. The extension is deemed to be an appropriate and visually acceptable enhancement to the home.

The proposed plans originally included a rendered finish. However, in the interest of achieving visual harmony with the surrounding context, confirmation was sought regarding the applicant's willingness to apply a stone finish to the front and rear elevations.

The request for a stone finish to the front and rear elevations is intended to ensure the proposed development integrates more sensitively with its surrounding context. Stone is a predominant material within the local streetscape and wider area, contributing to a consistent and visually cohesive character. By aligning the external treatment of the proposal with this established palette, the development will better respect local vernacular

architecture, enhance visual harmony, and reduce the potential for the extension to appear incongruous or overly prominent.

Having taken the above into account, the proposed extension 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. In addition, the proposal is considered to have an acceptable impact on the openness of the Green Belt.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. 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. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained. Principle 16 requires that proposals maintain appropriate storage arrangements for waste.

The addition of extensions will not negatively impact neighbouring properties given the distance between the shared boundaries and the location of new development.

The proposed single-storey rear extension includes southeast-facing windows that are oriented toward the applicant's own private amenity space. These windows do not result in any overlooking or loss of privacy, as they face a side elevation of the adjoining property that contains no windows. Furthermore, the extension respects the established rear building line of the neighbouring dwelling, ensuring that it does not project beyond or appear overbearing in relation to the adjoining property. This careful siting and orientation help to preserve both residential amenity and the character of the surrounding area.

Overall, the proposal is designed to minimise any adverse effects on the residential amenity of both future and neighbouring occupiers. The extensions would not cover the entire amenity space of the application site. 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, and so it is compliant with part of policy LP24 of the KLP

The proposal would retain adequate amenity / waste storage areas.

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 Principles 12 and 19 of the Housebuilders design guide which seek to ensure acceptable levels of off street parking, adequate waste storage facilities are provided, are also considered to be of relevance.

The proposal shows an increase in bedrooms from two to three. The site currently benefits from existing in curtilage parking and turning space located in front of the building. This arrangement is anticipated to remain unchanged by the proposed extension. Therefore, it is concluded that the extension would not adversely impact highway safety.

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:

The application was advertised by site notice, which expired on the 25th of June 2025. As such, no representations were received.

7 – Negotiations:

N/A

8 – Conclusion:

The proposal does not harm to the Green Belt by reason of inappropriateness. The revised scheme satisfactorily addresses the previous reasons for refusal.

It is therefore recommended that planning permission be granted

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/91020

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 and Alterations SPD and the aims of the National Planning Policy Framework.

3. The external stone facing materials for the front elevation and roofing materials of the extension hereby approved shall in all respects match those on the existing building. The render shall be a natural stone colour. The materials shall be thereafter retained in accordance with the amended plan.

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

Plans and specifications schedule: -

Plan Type	Reference	Date Received
Grouped Plans and Elevations	Amended	25-Sept-2025
Grouped Plans and Elevations	-	10-Apr-2025
Block Plan	2025-001-(20)003 - SITE BLOCK PLAN	10-Apr-2025
General	Climate Change Statement	10-Apr-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. Amended plans were sought to set the side extension down from the ridge and back from the front elevation.

Report Dated: 08/09/2025

High Risk Coal