

**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:	2025/62/91275/E
Site Address:	92, Wakefield Road, Clayton West, Huddersfield, HD8 9NN
Description:	Formation of elevated deck and alterations to dwelling
Recommending Officer:	Joanna Rednall

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: 07-Aug-2025

The Site

92, Wakefield Road is a detached split level dwelling finished in stone, render and brick with a pitched roof covered in tiles. The property benefits from gardens to the front with a drive to the side and an enclosed garden to the rear.

The property is located on a residential street with a mix of property types and ages surrounding.

The Proposal

The applicant is seeking planning permission for formation of elevated deck and alterations to dwelling.

The elevated deck extends approximately 3 metres from the rear wall of the dwelling and spans around 4.2 metres in width. It is raised approx 2.2 metres above ground level, featuring a clear balustrade of approximately 1 metre in height along the north-west elevation, and 1.8-metre-high privacy screens along the north-east and south-west elevations.

The existing chimney stack would be removed as part of the development.

To the rear/northwest elevation, the existing ground and first floor openings are to be enlarged with bi folding doors installed. A first-floor window is proposed to the gable of the front/southeast elevation and the existing window to the rear gable would be enlarged. Rooflights are also proposed to the north-east and south-west elevations.

The side elevations will be finished in an off-white render. At the front, the existing low-level masonry of the gable will be retained, while the upper section of the gable will be rendered in the same off-white finish.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Planning History

There is no planning history for the site which is considered relevant to the current proposal.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice.

Final publicity date expired: 4th July 2025

No representations were received as a result of the publicity.

Consultations

No statutory consultations were requested for this application.

Allocation & Policies

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).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th 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. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

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

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 visual amenity
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 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”.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon visual amenity

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 also of relevance to the consideration of this application.

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. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Section 5.28 of the Council's SPD sets out guidance for balcony and roof terraces:

5.28 Balconies and roof terraces on existing buildings should not negatively affect neighbouring properties or alter the local character of the area. Balconies and roof terraces should be:

- *Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens*
- *Sited away from locations that are sensitive to additional noise levels or disruption*

The proposed decking is of modest scale, extending approximately 3 metres from the rear elevation of the dwelling to provide a first-floor balcony serving 92 Wakefield Road. The submitted elevation drawings illustrate that the proposed terrace remains clearly subservient in scale and design to the host property, ensuring that it would not appear overbearing or visually incongruous when viewed from the rear.

The design also incorporates 1.8-metre-high privacy screens to both side elevations of the decking, as shown on the submitted plans. These screens can be secured by condition to mitigate any risk of overlooking, thereby protecting the privacy and amenity of neighbouring properties and their gardens.

In addition to the decking, the associated alterations to the fenestration and external finishes of the host dwelling are considered visually appropriate. The proposed off-white render is consistent with finishes found elsewhere in the surrounding street scene and would integrate well with the character of the original building, resulting in a visually coherent and acceptable appearance.

The development includes alterations to the existing openings on the dwelling. According to the application form, the new windows will be grey uPVC, while the bi-folding doors will be constructed from composite/powder-coated aluminium. These materials and finishes are residential in character and appropriately proportioned. As such, they are considered to have an acceptable visual impact on both the original dwelling and the surrounding street scene.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

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.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”*.
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”*.
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

The properties potentially affected by the proposed development are those which directly neighbour the site, these being:

90, Wakefield Road

This neighbour is located to the north-east of the application site.

With regard to loss of light, overshadowing and overbearing as the works to the rear are retained at single storey, there is not considered to be any harmful loss of light as a result of the development.

With regard to overlooking and privacy, the proposed elevated rear terrace does present some potential for impact on the privacy of No. 90 Wakefield Road, due to its raised position and close proximity to the shared boundary (approximately 0.6 metres from the boundary and 5.5 metres from the side elevation of No. 90). However, the submitted elevation drawings indicate that a 1.8-metre-high privacy screen is proposed along the north-east elevation of the terrace. This screening is considered sufficient to mitigate any overlooking concerns, provided it is secured by condition to ensure it is installed as shown and retained at an appropriate height and position in perpetuity.

The development includes the introduction of additional rooflights facing towards No. 90. Given their elevated position and the oblique angle in relation to the neighbouring property, it is considered that these openings would not

give rise to harmful overlooking or result in a significant loss of privacy for the occupants of No. 90.

94, Wakefield Road

This neighbour is located to the south-west of the application site.

The balcony area would be constructed across part of the width of the dwelling and would be set back from the adjacent neighbour. Given the spatial relationship between the properties, there would be no significant overlooking over and above the existing arrangements on site. Furthermore, the separation between the properties minimises any potential overbearing or overshadowing. The submitted elevations show the raised terrace would have a privacy screen to the south-west elevation, this would prevent the potential for loss of privacy in any of the rooms to the rear as a consequence of looking back towards the rear elevation of the neighbouring dwelling from the deck.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within 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.

The proposed development would not increase the number of bedrooms on site, and it is considered the number of occupants within the dwelling would remain as existing. The dwelling benefits from a driveway to the front and side which would be retained as a result of the development. With this being the case, proposed parking arrangements are considered to be acceptable.

The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

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 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework are 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 alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats 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.

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 pre-dates 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 modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

6 – Representations:

None received

7 – 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

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/91275

Officer Recommendation: Approve

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

2. Notwithstanding the plans submitted, the raised terrace shall not be brought into use until an obscurely glazed screen (to a minimum privacy level of Grade 4 or equivalent) to a height of 1.8m has been constructed to the north-east and south-west elevations of the raised terrace. The obscure glazed screen shall thereafter be retained.

Reason: To prevent overlooking to the neighbouring properties and to accord with Policy LP24 of the Kirklees Local Plan the Key Design Principles of the House Extensions and Alterations SPD 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 41 of the Conservation of Habitats and Species Regulations 2010. 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	25/1158/01	-	19/05/2025
Existing Block Plan	25/1158/02	-	19/05/2025
Existing Floor Plans, Sections & Elevations	25/1158/03	-	19/05/2025
Proposed Block Plan	25/1158/05	-	19/05/2025
Proposed Floor Plans & Elevations	25/1158/04e	-	19/05/2025
Climate Change Statement	-	-	19/05/2025
Application form	-	-	19/05/2025

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:

18/07/2025

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