

**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:	2025/62/91286/W
Site Address:	11, Burniston Drive, Oakes, Huddersfield, HD3 3PR
Description:	Erection of single storey side extension, raised decking and associated works
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.

Emma Thompson

AUTHORISED OFFICER

Date: 14-Jul-2025

The Site

11 Burniston Drive is a two-storey semi-detached property located in Oakes, Huddersfield. The property is faced in stone and render, with a hipped roof above infilled with concrete roof tiles. Within the wider curtilage, the property benefits from a driveway to facilitate on-site parking and garden amenity space to both the front and rear.

The site is located within a residential area with a strong sense of similarity established. This is because the properties along Burniston Drive share the same style of design and construction, semi-detached, two-storey, hipped roofed and faced in matching exterior materials of stone and render.

The Proposal

The applicant is seeking planning permission for erection of single storey side extension, raised decking and associated works.

The extension projects approximately 2.6 metres from the side elevation of the dwelling and extends around 13.6 metres along its length. It features a hipped roof running alongside the dwelling, which ties into the roof of the existing single-storey rear extension. The rear portion of the side extension, measuring roughly 5 metres, incorporates a flat roof above.

The extension will be finished in render to match the host dwelling, with concrete tiles used on the hipped roof section. UPVC openings are proposed on both the south- and north-facing elevations.

Internally, the extension serves storage and a garden room.

A raised decking area is also proposed, projecting approximately 3 metres from the rear elevation of the existing single-storey rear extension and measuring around 4.9 metres in width. The decking will be elevated 350mm above the external ground level.

History of Negotiations

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

Planning History

Relevant planning history for this site is summarised as follows:-

- 2023/91939 – Erection of single storey rear extension

Conditional full permission

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
- LP28 Drainage
- LP34 Conserving and enhancing the water environment

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.

Paragraph 5.17 of the House Extensions and Alterations SPD sets out that single storey extensions to the side should:

- not extend more than two thirds of the width of the original house;

- not exceed a height of 4 metres; and
- be set back at least 500mm from the original building line to allow for a visual break.

The footprint of the proposed extension is relatively large in relation to that of the host property. From the front elevation, the extension is set back over 2 metres from the main front elevation, with its width appearing proportionate and modest in scale. The extension broadens towards the rear, where it becomes nearly as wide as the host property. Although the overall scale is substantial for a single-storey side extension, the widest rear section is concealed from public view, preventing it from appearing overbearing or incongruous within the street scene.

Within the context of the site, more than half of the garden area is retained, ensuring the development does not constitute overdevelopment. Additionally, the single-storey height ensures that the host property remains the dominant feature on the site, with the extension representing a balanced addition which does not compete with the host. The hipped roof design would integrate well with the single-storey rear extension, creating a visually harmonious appearance when viewed from the rear. While the flat roof design contrasts with the predominant roof form of the extension and the host dwelling, this section of the development is largely concealed from public view and replaces an existing flat-roofed structure. The loss of the existing garage mitigates the large projection and flat roof design. Therefore, given these reasons it is considered that the proposed design would not have a detrimental impact on visual amenity.

The raised decking is positioned between the proposed side extension and the existing single-storey rear extension. With a modest elevation of 350mm above ground level, it would remain subordinate to the host property and would have an acceptable visual impact.

The application includes the replacement of the front garden with hardstanding. The works do not retain any soft landscaping but appear similar to other driveway/parking areas within the street, as such it would be difficult to substantiate a refusal due to impact. The works to provide off street parking is, on balance, acceptable.

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:

9, Burniston Drive

This neighbouring property is considered the most affected by the proposed development. This is due to the extension projecting approximately 13 metres along the shared boundary, with a maximum height of around 3.4 metres that reduces to about 2.6 metres beyond the rear elevation of No. 9.

The submitted plans show no openings are proposed on the side elevation, ensuring that privacy is maintained with no impacts of overlooking.

Regarding overshadowing and overbearing effects, the development introduces additional built form along the boundary. However, most of the extension will replace the existing garage at No. 11, and the presence of the detached garage at No. 9 will help to mitigate any potential overbearing or overshadowing impacts. Therefore, as the majority of the extension would

replace existing built form, it is not considered the development would result in detrimental harm to occupants of No.9.

It should also be noted that existing boundary treatments, including fencing and hedges, are in place between the two properties, providing additional screening against any potential impacts of the development.

13, Burniston Drive

This neighbouring property is located west of the application site.

There are no new openings proposed that face No.13, and the majority of the development would be screened by the main body of No.11. The new extension is also set away from the common boundary by over 5m. Therefore, given the limited height and scale of the proposed extension, it is considered the development would not result in a significant impact of overlooking, overbearing or overshadowing.

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 submitted plans show the front driveway would be covered in permeable tarmac to accommodate off-street parking for 3 vehicles. An informative should be attached to the decision notice to include advice should a Section 184 agreement be required. In addition, due to the works required and to ensure drainage concerns are addressed a condition is essential from a highway safety and drainage perspective. This is in line with Policies LP21, LP22, LP24, LP28 and LP34 of the Kirklees Local Plan, design principles of the SPD and the Council's Highways Design Guide.

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:

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: 2025/91286

Officer Recommendation:

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 approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded. The development shall be retained as such.

Reason: In the interests of highway safety and to ensure that the additional hardstanding is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan, Key Design Principle 14 of the Council's adopted

Supplementary Planning Document on House Extensions and Alterations and Chapter 14 of the National Planning Policy Framework.

NOTE: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	BD01.1	-	19/05/2025
Existing Site Plan	BD02.1	-	19/05/2025
Existing Plans	BD03.1	-	19/05/2025
Proposed Site Plan	BD04.1	-	19/05/2025
Proposed Plans	BD05.1	-	19/05/2025
Application form	-	-	19/05/2025
Climate change statement	-	-	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:

09/07/2025

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