

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:	2025/62/91648/E
Site Address:	47, Shelley Lane, Kirkburton, Huddersfield, HD8 0SW
Description:	Demolition of existing garage and rear extension and erection of single storey rear extension
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: 12-Aug-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/91648
Location	47, Shelley Lane, Kirkburton, Huddersfield, HD8 0SW.
Proposal	Demolition of existing garage and rear extension and erection of single storey rear extension.
Publicity end date	31/07/2025
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	The application site is located within a bat alert layer, but is otherwise unallocated in the Kirklees Local Plan.
Extension to Time (EoT)	No
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) December 2024
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF Chapter 15 – Conserving and enhancing the natural environment

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	

Parish/Town Council comments sought	Yes	Kirkburton Parish Council have been consulted, but no response has been received.
Planning History	No	
Consultations required	No	

Assessment

Description of development:

The application seeks permission for the demolition of existing garage and rear extension and erection of single storey rear extension.

The proposed rear extension would project 2.99m from the rear elevation of the existing building, with a maximum height of 3.07m, eaves height of 2.83m, and a width of 8.47m.

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (and listed below) and if they do not, they need to be justified:

Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	At least 50% of the current back garden will be retained.	
Be set behind the original building, and not projecting beyond the sides	The extension will be set completely behind the existing building, not projecting beyond the sides.	
Maintain external access to the rear garden	Current external access to the rear garden at the North West of the dwelling will be retained.	
Single storey rear extensions should:		

be in keeping with the scale and style of the original house	The proposal is subservient to the host dwelling and is to be faced in matching or sympathetic materials to remain in keeping with the scale and style of the original house.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	At least half of the total area around the original house will remain post-development.	
not exceed 4 metres in height	The maximum height of the extension is 3.07m, not exceeding 4m.	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties	The proposal will project 2.99m from the rear elevation of the existing dwelling, not exceeding the 4m allocated for detached properties.	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	The extension does not exceed 3m in length.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	A gap of at least 1m is retained to all surrounding property boundaries.	

Design and Visual Amenity:

Summary of local street scene/character:

The application site refers to 47, Shelley Lane, Kirkburton, Huddersfield, HD8 0SW, a two-storey detached property faced in brick, with a pitched, gable tiled roof, and uPVC windows and doors. The application dwelling lies in a relatively uniform street scene, surrounded by properties of a similar, size, scale, character, appearance, and age. Furthermore, the property benefits from a small area of amenity space to the front, a hard-standing parking area to the side, and garden space to the rear.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	As the extension is proposed to the rear of the dwelling and is to be faced in matching or sympathetic materials, it is considered that there will be no significant impact on the local character and street scene.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	As the proposal is subservient to the host dwelling, and is to be faced in sympathetic materials, it is considered that there will be no significant impact upon the original house.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The extension is subservient to the original building with regard to height, scale, and massing.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The extension is to be faced in brick, with uPVC windows and doors, all of which match the host dwelling.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP	A flat roof is proposed rather than the pitched tiled roof on the host property, however, as this is not largely visible from the street scene it is	✓

	Chapter 12 of the NPPF	considered that any impacts will not be significant enough to warrant a refusal, and this is acceptable in this case.	
Window proportions	- KDP 1 and 2 of the SPD - Policy LP24 Design (a), (c) and (d) of the KLP - Chapter 12 of the NPPF	All windows proposed in the extension are considered proportionate to those in the existing dwelling with regard to size and positioning.	✓
Accessibility for all users	- KDP 17 of the SPD - Policy LP24 Design (f) - Chapter 12 of the NPPF	Private domestic extension – no alternate access arrangements required.	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 45, Shelley Lane, Kirkburton, Huddersfield, HD8 0SW – Neighbouring property to the North West.
- 49, Shelley Lane, Kirkburton, Huddersfield, HD8 0SW – Neighbouring property to the South East.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to sides, rear and front)	- KDP 3 & 4 of the SPD - Policy LP24 Design (d) (iv) - Chapter 12 of the NPPF	The development is single storey. The proposed side windows face existing screening and to the host driveway, avoiding any overlooking of neighbouring amenity space. There are no neighbouring dwellings to the rear of the application site and openings are at	✓

		ground level and avoid overlooking. As such, it is considered that there will be no significant impact upon the privacy of neighbours.	
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Given the limited increase in scale from the existing rear extension at the dwelling, and the adequate space between the proposal and neighbouring properties, it is considered that there will be no significant impact on light and outlook of neighbours.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	As aforementioned, due to the limited increase in scale in comparison to the existing rear extension, it is considered that the proposal is not close enough to neighbouring dwellings to have any significant impact on overbearing or overshadowing.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	At least 50% of the current garden space at the property will be retained, which is considered to be an acceptable amount.	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
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Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	As the extension is proposed to the rear of the dwelling and will not be visible from the front of the dwelling and closest highway, there will be no significant impact upon highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	Despite the proposed removal of the existing garage on site, there will be no loss of off-street parking spaces, and as the number of bedrooms in the dwellings will not increase as a result of the proposal the parking provision in the submitted plans is considered acceptable.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Although nothing specific is detailed within the submitted plans, there will be adequate space on site for waste storage.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	The proposal is not close enough to have any significant impact upon trees.	✓

Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF	While the site is within a bat alert layer, the nature of the proposal is not considered to have significant impacts to roosting potential. It is recommended that in this case an appropriate approach of the LPA is the inclusion of an informative note upon and grant of permission which alerts the applicant of their private responsibilities if any signs of bats or potential to disturb those protected species are found.	✓
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	✓
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
Kirkburton Parish Council have been consulted, but no response has been received.	Noted.	✓

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: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2025/91648

Officer Recommendation: Conditional Full Permission

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 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

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	(25406)1_As Existing	-	20/06/2025
Grouped Plans and Elevations	(25406)2_As Proposed	-	20/06/2025
Application Forms	-	-	20/06/2025
Climate Change Statement	-	-	20/06/2025
Planning Statement	-	-	20/06/2025

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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 31/07/2025