

**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:	2025/62/91807/E
Site Address:	28, The Knowle, Shepley, Huddersfield, HD8 8EA
Description:	Erection of two storey rear extension and first floor extension over existing garage
Recommending Officer:	Jennifer Booth

DECISION – REFUSED

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 26-Aug-2025

OFFICER REPORT

Site Description

28, The Knowle, Shepley is a 2-storey detached dwellinghouse with dual pitched roof and single storey garage attached to the side. The walls are surfaced in mix of artificial stone and render and the roof is clad in grey / brown concrete tiles. The property has recently had a 2-storey extension erected to the rear and single storey extension erected to the side of the property to form additional bedroom and ground floor living space.

The building is set back from the roadside with drive and small front garden, whilst to the western side there is a large garden that extends to the rear of the property. It is located within a row of more established dwellings that line the southern side of The Knowle, with open fields behind. The land slopes gently from south to north, and the whole area is in the Green Belt.

Description of Proposal

The applicant is seeking permission for a first floor extension over the garage and a two storey rear extension.

The first floor would be built over the garage maintaining the 2m set back from the front. The rear extension would continue a further 4.7m matching the width of the garage. The roof over would be pitched.

The walls would be constructed using render with tiles for the roof covering.

Relevant Planning History

2015/93509 – Erection of extensions & alterations – approved

2016/90391 – Discharge of condition 3 (Materials) on previous application 2015/93509 for erection of extensions and alterations – approved

2020/90744 – Erection of single storey side extension - approved

History of negotiations

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2024 encourages negotiation/engagement between Local Planning Authorities and agents/applicants, this is only within the scope of the application under consideration. The proposed first floor extension, when considered in conjunction with the existing roof structure and previous alterations, would

result in a visually discordant and disproportionate addition to the property. The combination of the roof design and the cumulative impact of successive extensions undermines the architectural coherence of the dwelling, leading to an incongruous appearance within the street scene. Amended plans have not been sought.

Representations

The application was advertised by site notice, which expired on 08/08/2025

As a result of the above publicity, one representation has been received with the following being a summary of points raised:

- Not against the plans but request an adjustment for privacy
- Will look directly into bedroom window from a raised incline seriously affecting current privacy
- Request use of obscure or partially obscure glass in bedroom window facing west to save privacy or alternatively place the window on the adjacent wall overlooking the farm track

Kirkburton Parish Council have stated they have no comment to make regarding the proposal.

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 within the Green Belt on the Kirklees Local Plan Proposals Map

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.

The following policies are considered to be relevant in the consideration of this application:

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway safety and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 57** – Extension, alteration 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.

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 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

Assessment

Principle of development:

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.

Impact on Green Belt:

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt. Paragraph 153 of the NPPF states that inappropriate development should not be approved except in 'very special circumstances'.

Paragraphs 154 and 155 of the NPPF set out that certain forms of development are exceptions to 'inappropriate development'. Paragraph 154 sets out that the extension or alteration of a building could be appropriate provided it does not result in disproportionate additions over and above the size of the original building. Policy LP57 of the Kirklees Local Plan is consistent with advice within the NPPF. Policy LP57 of the Local Plan relates to the extension, alteration and replacement of existing buildings in the Green Belt. In the case of extensions, it notes that these will be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance.

Policy LP57 also outlines that such development should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standing, curtilages and enclosures and means of access. Further to this, Policy LP57 states that with such development, the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.

There have been a number of extensions to the original dwelling. The original dwelling as set out within drawing 057-01 submitted as part of application 2015/93509 details that the footprint of the dwelling is 159m². The scheme as proposed is detailed within drawing 03RevC submitted as part of this application and demonstrates the proposal, in cumulation with the original dwelling and subsequent additions which have been completed would have a total footprint of 355m². As such the proposal would, in combination with previous additions, see a footprint / floor space increase which is approximately doubled the size of the dwelling.

Paragraph 157(c) states that development is inappropriate unless the following exemption applies *'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'*.

Policy LP57 is in conformity with this policy.

In this case it is considered that the extent of the development proposal, when considered in cumulation with other extensions to the property previously consented and undertaken would see the a development which is of a disproportionate size and scale in relation to the original building.

No very special circumstances have been demonstrated or are considered to exist more generally. Therefore it is concluded that by virtue its size, scale and design when taken in cumulation with previous additions the proposed development represents a disproportionate addition over and above the size of the original building and therefore constitutes inappropriate development within the Green Belt for which no very special circumstances have been demonstrated contrary to policy LP57 of the Kirklees Local Plan and policies within Chapter 13 of the National Planning Policy Framework.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations 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 House Extensions & Alterations SPD goes onto 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.

As this proposal is for a side and rear extension, the following paragraphs of the House Extensions & Alterations SPD are of relevance. Paragraphs 5.15 & 5.17 of the House Extensions & Alterations SPD with regards to the side extension as they require the development proposed to be located and designed to minimise the impact on the character of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space. Paragraphs 5.1, 5.2 & 5.6 of the House Extensions & Alterations SPD go into further specific detail regarding rear extensions requiring development to maintain the quality of the residential environment, respect the original house and use appropriate materials.

The proposed first floor side extension and the two-storey rear element, when assessed in conjunction with the existing roof structure and previous alterations, would result in a development that appears visually incongruous. The roof design, in particular, fails to integrate cohesively with the original dwelling and the previously extended roof forms, leading to a fragmented and unbalanced appearance. The cumulative impact of these additions detracts from the overall architectural integrity of the property and is considered to cause harm to the visual amenity of the area.

Having taken the above into account, the proposals would cause harm to the visual amenities of the host dwelling and the wider street scene, The proposals therefore fail to comply with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

Impact on residential amenity:

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 House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

There are no properties to the rear which could be affected by the works proposed.

Impact on 32 The Knowle

The adjacent dwelling to the east occupies a position some 8m from the site. The neighbouring property is single storey towards the boundary closest to the host property with openings in the side elevation. However, these serve the lounge and kitchen areas of the neighbouring dwelling as secondary windows. Given the relationship between the properties, there would be no significant overshadowing, overbearing or overlooking.

With regards to the impact on the adjacent 32 The Knowle, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Impact on 21 The Knowle

The neighbouring property on the opposite side of the road occupies a position some 30m from the site. Given the substantial separation, the proposed extension would result in no significant level of overlooking, overshadowing or overbearing which would substantiate a reason for refusal in this case.

With regards to the impact on the neighbouring 21 The Knowle, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

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 & Alterations SPD and Chapter 12 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will result in some intensification of the domestic use. However, the parking area to the side of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. Bin storage for the dwelling would not be moved as part of the proposals. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions & Alterations SPD.

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 for consideration.

Representations:

As a result of publicity, one representation has been received with the following being a summary of points raised and LPA response:

- Not against the plans but request an adjustment for privacy

Response: Noted

- Will look directly into bedroom window from a raised incline seriously affecting current privacy
- Request use of obscure or partially obscure glass in bedroom window facing west to save privacy or alternatively place the window on the adjacent wall overlooking the farm track

Response: The impact from overlooking has been addressed within the residential amenity section of this report.

Conclusion:

This application to erect a side and rear extension at 28 The Knowle has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations.

The development is considered to constitute inappropriate development within the green belt, in the absence of very special circumstances being demonstrated to clearly outweigh the harm it is concluded the development is unacceptable in this regard.

The proposed first floor side extension and two-storey rear element, by virtue of their roof design and cumulative impact when considered alongside the original and previously extended roof forms, would result in a development that appears visually incongruous and poorly integrated with the host dwelling. The proposal would detract from the architectural character of the property and the surrounding area, causing harm to visual amenity.

To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extension & Alterations SPD together with Chapter 12 of the National Planning Policy Framework.

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. For the reasons set out above it is considered that the development would not constitute sustainable development and is therefore recommended for refusal.

Recommendation

Refuse

Decision Authorisation - Delegated Powers

Application Number: 2025/91807

Officer Recommendation: Approve

Conditions and Reasons

1. By virtue its size, scale, design and when taken in cumulation with previous additions, the proposed development represents a disproportionate addition over and above the size of the original building and therefore constitutes inappropriate development within the Green Belt for which no very special circumstances have been demonstrated contrary to policy LP57 of the Kirklees Local Plan and policies within Chapter 13 of the National Planning Policy Framework.

2. The proposed first floor side extension and two-storey rear element, by virtue of their roof design and cumulative impact when considered alongside the original and previously extended roof forms, would result in a development that appears visually incongruous and poorly integrated with the host dwelling. The proposal would detract from the architectural character of the property and the surrounding area, causing harm to visual amenity. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extension & Alterations SPD together with Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location plan	01	1094652	01/07/2025
Existing plans	02	1094654	01/07/2025
Proposed plans	03RevC	1094651	01/07/2025
Climate change statement	-	1094653	01/07/2025

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 it is considered amendments would not be possible to address the reasons identified and were not, therefore, sought in this case.

Report Dated

26/08/2025