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:	**2025/62/91855/E**
Site Address:	28, Glen Avenue, Batley, WF17 0ET
Description:	Erection of extensions to side and rear and dormer extensions
Recommending Officer:	Jennifer Booth

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.

John Holmes

AUTHORISED OFFICER

Date: 11-Sep-2025

OFFICER REPORT

Site Description

28 Glen Avenue is a semi-detached dormer bungalow located at the end of a residential cul-de-sac. The property features a brick ground floor with a rendered or tile-hung upper elevation, and a pitched tiled roof incorporating both front and rear-facing dormer windows. White-framed windows and a recessed front entrance are present on the principal elevation.

The site benefits from a hardstanding driveway providing off-street parking and access to a detached garage to the side. Refuse bins are stored adjacent to the garage, partially screened by fencing. To the rear, the property includes a private enclosed garden offering outdoor amenity space. The surrounding area is suburban in character, comprising similar residential dwellings.

Description of Proposal

The applicant is seeking permission for a two storey side extension and a single storey rear extension.

The side extension would project 4m from the original side wall of the dwelling, extending the depth of the dwelling with a corresponding increase in the width of the front and rear dormers. The rear extension would project 3m from the original rear wall of the property and would extend the width of the dwelling including the rear of the proposed side extension. The roof form would be lean to.

The plans also show the enlargement of the parking area to the front with grasscrete surfacing and incorporation of soft planting.

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

Relevant Planning History

None

History of negotiations

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO encourages negotiation/engagement between Local Planning Authorities and agents/applicants, this is only within the scope of the application under consideration. The initially submitted plans raised concerns in terms of the enlargement of the parking area and its stark appearance. Amended plans have been received which demonstrate planting and the use of grascrete. Given the limited scope of the alteration, the amended plans have not been

advertised as the scheme as advertised was considered to adequately alert the public to the nature of the development proposal.

Representations

The application was advertised by site notice, which expired on 15/08/2025

As a result of the above publicity, no representations have been 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 UNALLOCATED 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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design

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 places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions & Alterations SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

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.

The proposal under consideration consists of five distinct elements which shall be addressed below.

Side extension

Paragraphs 5.15, 5.19 & 5.21 of the House Extensions & Alterations SPD are of relevance with regards to the side extension as the 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.

The proposed side extension does not incorporate a set back or set down, which is recommended within the House Extensions and Alterations SPD to ensure subservience to the host dwelling. However, in this instance, the design is considered acceptable due to the architectural style of the property and its corner position within the street scene. The scale of the extension is proportionate to the main dwelling and does not appear overbearing. Importantly, a sufficient gap would be retained to the side boundary, in accordance with the relevant criteria of the SPD, helping to preserve the character of the street and spaces between the dwellings.

The properties in this part of the street are not part of a linear layout and are in a variety of locations in relation to one another and being at an oblique angle to one another. As such it is considered that in this case the design benefit of requiring the development to be set down / back would be minimal and refusal on grounds the scheme is not set back / down could not be substantiated in this case.

The proposed materials would match those of the existing property, and the detailing—including fenestration and roof form—would maintain a coherent relationship with the host building, continuing its established character. As such, the proposal is considered acceptable in terms of visual amenity.

Enlargement of front dormer

Paragraphs 5.24, 5.25, 5.26 and 5.27 of the House Extensions & Alterations SPD relate to the provision of dormers. Given roofs are a very prominent and visible element of the majority of properties, development affecting the roof, such as dormer extensions need to be carefully considered in terms of their appearance and scale in order to be considered acceptable in terms of LP24 of the KLP, KDP 1 & KDP2 of the House Extension SPD and chapter 12 of the NPPF.

The host property features an existing front dormer within the main roof slope. The current proposal seeks to extend this dormer across into the roof plane of the proposed side extension. This approach is considered acceptable, as it would maintain continuity in the architectural style and roof form of the dwelling. The extended dormer would be well-integrated with the existing structure, respecting the proportions and design of the original feature. The resulting roofscape would remain coherent and visually balanced, contributing positively to the overall character of the property and surrounding street scene. As such, the proposed dormer extension is considered acceptable in terms of design and visual amenity.

Single storey rear extension

Paragraphs 5.1 and 5.2 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 rear extension would be modest in scale, with a projection of approximately 3 metres. Its size and siting ensure that it remains subordinate to the host dwelling and does not detract from its overall character. The property would retain a reasonable amount of private amenity space following the development, in line with guidance set out in the House Extensions and Alterations SPD.

The extension would be constructed using materials that match the existing dwelling, including brickwork for the external walls, ensuring visual continuity. The roof form and fenestration have been designed to reflect the style and proportions of the host property, resulting in a coherent and well-integrated addition. Given its scale, design, and use of matching materials, the rear extension is considered acceptable in terms of visual amenity and would not harm the character or appearance of the surrounding area.

Enlargement of rear dormer

In point 5.25 of the House Extensions & Alterations SPD, it does suggest that rear dormers can be considered to be appropriate dependent upon design and size.

The property has an existing rear dormer, which the proposal seeks to enlarge by extending it into the roof plane of the proposed side extension. The design is considered acceptable, as it continues the architectural style of the dwelling and integrates well with the existing roof form. The scale and detailing are proportionate and coherent, ensuring the dormer remains visually appropriate within the context of the property and surrounding area. Therefore, the enlarged dormer is considered acceptable in terms of design and visual amenity.

Enlargement of parking area

The proposed parking area has been assessed in accordance with the *House Extensions and Alterations SPD*, particularly paragraphs 4.39 to 4.42. The design avoids excessive hard surfacing and retains existing boundary features, ensuring the parking provision does not dominate the street scene or harm the character of the area. The use of permeable materials supports sustainable drainage, and soft landscaping has been incorporated to soften the visual impact. The proposal maintains a balance between functional parking provision and the preservation of private amenity space, contributing positively to the overall visual amenity of the site and its surroundings.

Having taken the above into account, the proposals 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, 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 opposite the front of the property which could be affected by the works proposed.

Impact on 26 Glen Avenue

The proposed single-storey rear extension would be constructed along the boundary with the adjoining property. However, due to its projection of approximately 3 metres and single-storey height, it is not considered to result in any significant overbearing or overshadowing impact. Weight is afforded the extent of works which could be undertaken through utilising pd rights in terms of a single storey extension with a 3m projection. Furthermore, no windows are proposed in the side elevation facing the neighbouring dwelling, thereby avoiding any potential for overlooking. The windows in the rear elevation would face into the applicant's own garden, maintaining privacy for adjacent occupiers.

The proposed side extension and dormer alterations would be located on the opposite side of the host property from the adjoining neighbouring dwelling. As such, these elements of the scheme would not give rise to any adverse impacts in terms of overlooking, overshadowing, or visual dominance. The orientation and siting of the extensions ensure that the privacy and residential amenity of neighbouring properties are preserved. No windows are proposed that would directly face neighbouring dwellings, and the overall scale and design of the development are considered to be appropriate within the context of the site.

With regards to the impact on the adjoining 26 Glen Avenue, 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 30 Glen Avenue

The adjacent property is positioned at an angle relative to the application site, with a separation distance of approximately 13 metres. Given this spatial relationship, the proposed development—including the single-storey rear extension, side extension, and dormer alterations—is not considered to result in any adverse impact on residential amenity.

With regards to the impact on the adjacent 30 Glen Avenue, 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 22 Wayne Close

The neighbouring dwelling to the rear is situated at a lower land level and lies approximately 19 metres from the application site. Given this generous separation distance, the change in topography, and the nature of the proposed works—including the single-storey rear extension, side extension, and dormer alterations—the development is not considered to result in any undue impact in terms of overshadowing or overbearing effects.

The proposed rear-facing windows in the single storey rear extension would not introduce a more intimate or direct relationship with the rear neighbour than currently exists, as they would face the applicant's own garden area and associated boundary treatments. Furthermore, the enlargement of the rear dormer would provide an ensuite bathroom which is not a habitable space and is likely to be obscurely glazed. As such, the proposal would not give rise to any significant loss of privacy or amenity for the occupants of the property to the rear. The spatial arrangement and design of the extensions are therefore considered acceptable in this context.

With regards to the impact on the neighbouring 22 Wayne Close, 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.

<u>Impact on highway safety</u>:

The proposed development would result in a modest intensification of domestic use; however, the initially submitted plans demonstrated sufficient off-street parking provision. Following officer feedback, the scheme has been amended to improve the visual quality of the parking area through the introduction of Grascrete surfacing and planting, which help to soften its appearance and better integrate it into the street scene. Existing bin storage arrangements remain unchanged and continue to provide suitable access for waste collection. The proposal is not expected to result in any harm to highway safety and is considered to comply with Policy LP22 of the Kirklees Local Plan, as well as Key Design Principles 15 and 16 of the House Extensions and 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:

None

Negotiations:

None

Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

Requirement for submission of an assessment of land quality should unexpected contamination be encountered.

Conclusion:

This application to erect a side extension, enlargement of the front and rear dormers and erection of single storey rear extension at 28 Glen Avenue 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. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable.

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.

As set out above, 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: 2025/91855
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 & Alterations SPD and the aims of the National Planning Policy Framework.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.
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 & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

4. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required.
The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.
Reason: So as to protect the development from any potential contaminated land and to comply with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared in accordance with *Model Procedures for the Management of Land Contamination – Contaminated Land report 11* (CLR11), National
Planning Policy Framework (NPPF) and the Council's Advice for Development documents or any subsequent revisions of those documents.

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.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays
08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Existing plans	S01	1095750	04/07/2025
Proposed plans	S02F	1103916	04/09/2025
Specifications	S03	1095747	04/07/2025
Design & access statement	-	1095748	04/07/2025
Climate change statement	-	1095749	04/07/2025

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.

The initially submitted plans raised concerns in terms of the enlargement of the parking area and its stark appearance. Amended plans have been received which provide planting and the use of grascrete.