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:	**2025/62/91873/W**
Site Address:	6, Wasp Nest Road, Fartown, Huddersfield, HD1 6HA
Description:	Erection of first floor rear extension (within a Conservation Area)
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.

Danielle Cooper

AUTHORISED OFFICER

Date: 06-Jan-2026

Officer Report – 2025/91873

Site Description

The application site refers to 6, Wasp Nest Road, Fartown, Huddersfield, HD1 6HA, a two-storey end terrace property faced in stone, with a pitched gable grey tiled roof, and uPVC windows and doors. The dwelling lies in a relatively uniform street scene, being 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, as well as a hard-standing area of shared amenity space to the rear.

Description of Proposal

The Scheme

The applicant is seeking permission for the erection of first floor rear extension (within a Conservation Area).

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

- Climate Change Statement
- Design and Access and Heritage Statement

During the course of the assessment of the application, the following additional/amended plans/information was submitted for consideration:

06/01/2026 – Existing and Proposed Layout and Elevations (2525 01E)

A rear roof light is also proposed within the roofscape of the host dwelling.

History of Negotiations / Amendments Received

The case officer requested amendments including the removal of the rear dormer (reflected in the proposal description). The use of roof lights and traditional pitched dormers were explored, however, neither of these preferred options provided the space required. As a result, the use of a first-floor

extension extending into the roof plane was explored and deemed unacceptable in relation to design given its relatively open appearance on the edge of the Conservation Area. As a result, the current plans were considered as acceptable, detailing only the rear extension and one rear roof light, as they are also not considered to have any significant impact on any neighbouring properties.

Relevant Planning History

The most relevant planning history relates to the following planning applications

90/00788 – Erection of 2 storey extension to form kitchen and bedroom – Refused.

97/93038 – Use of premises for operating one private hire vehicle – Conditional Full Permission.

2003/90604 – Erection of first floor extension (within a Conservation Area) – Refused.

- The erection of an extension of the size and in the position proposed would be unduly detrimental to the amenities of the occupiers of the adjoining residential properties (particularly No. 8 Wasp Nest Road).

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2024).

The application has been publicised as affecting the setting of a conservation area, on the Council's website, by site notice and by press advertisement. The expiry date of the publicity period was the 29/08/2025.

An extension of time was agreed on this application until 06/01/2026.

Consultation Responses

KC Conservation & Design – No objections. Despite the C&D officer raising no concern to the proposal, the case officer considered the rear dormer window to be result in significant visual harm to the character and appearance of the host property, immediate street scene and conservation area. The case officer therefore requested that for the rear dormer to be removed.

Allocation and Policy

The site is allocated in the Birkby Conservation Area within the Kirklees Local Plan (adopted 2019). The site is also located within a bat alert layer and an area at high risk of ground movement due to previous coal mining activity.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

LP1 Achieving Sustainable Development
LP2 Place Shaping
LP21 Highway and Access
LP22 Parking
LP24 Design
LP30 Biodiversity and Geodiversity
LP35 Historic Environment
LP53 Contaminated and Unstable land

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, 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.

Chapter2 Achieving sustainable development
Chapter12 Achieving well-designed places
Chapter14 Meeting the challenge of climate change, flooding and coastal change
Chapter15 Conserving and enhancing the natural environment
Chapter16 Conserving and enhancing the historic environment

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)
House Extensions & Alterations SPD (adopted June 2021)

The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
The Planning and Compulsory Purchase Act 2004.
The Conservation of Habitats and Species Regulations 2017

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

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Other matters – e.g. trees/ecology (e.g. bats)
6. Representations
7. Conclusion

1 – Principle of Development

Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Policy LP1 of the Kirklees Local Plan 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.*

As the site is located within the Birkby Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 needs to be considered, which requires Local Planning Authorities to pay special attention

in order to preserve or enhance the character and setting of buildings or land within a Conservation Area.

Given the scale of development, being limited to a first floor rear extension, whereby other first floor extensions are present within the street scene, it is considered that the principle of a first floor extension in this location is acceptable and will not unduly harm Birkby conservation area. Further assessment on the impact on visual amenity of the proposal will be explored below.

2 – Impact on character and appearance of the area (including impact upon historic environment):

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape'.*

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.

The recommendations of Paragraphs 5.1 and 5.8 of the House Extensions and Alterations SPD are set out in the 'Principle' section of this report.

Historic Environment

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Furthermore, LP35 states that: *"development proposals affecting a designated heritage asset…should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be*

permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm."

It is considered that the proposed first floor rear extension will be set entirely behind the existing dwelling, will be proportionate to the size of the original house and rear amenity space, and will have no significant impact upon the visual amenity of the street scene due to the use of matching materials, and the extensions location to the rear of the house being largely not visible from the street scene.

Whilst there are no other first floor rear extensions amongst the row of adjoining terraces, there are other first floor rear extensions within the immediate street scene, along Mead Street and Halifax Old Road. As such there are no visual concerns with the addition of this first floor rear extension.

The addition of one rooflight within the roofplane of the host property is also considered visually acceptable and will not cause harm to the character and appearance of the host property or the conservation area.

The proposed development is therefore considered to comply with Policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, Principles 1 and 2, and Paragraphs 5.1, 5.25, 5.27, and 5.8 of the Council's House Extensions and Alterations SPD, policies within Chapter 12 and 16, and Paragraph 135, of the National Planning Policy Framework.

3. Impact on Residential Amenity

Sections B and C of LP24 states that alterations to existing buildings should:

"…maintain appropriate distances between buildings' and *'…minimise impact on residential amenity of future and neighbouring occupiers."*

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

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 recommendations of Paragraphs 5.1 and 5.8 are set out in the 'Principle' section of this report.

The first-floor rear extension element of the development is considered to preserve a rear amenity space of a reasonable size, with at least 50% of the current area being maintained, as well as retaining external access to the rear amenity space in the current location to the West of the dwelling.

Moreover, as there are no windows proposed in the side elevations of the extension, it is considered that there will be no adverse impacts on neighbouring properties with regard to overlooking and privacy. The proposed rear window will overlook garages and as such raise no concern to the loss of privacy.

As well as this, despite the 45-degree angle being cut to the neighbouring property to the North East (8 Wasp Nest Road), the rear extension is not considered to exacerbate the existing impacts, as the 45-degree angle is currently cut by the existing dwelling. Moreover, the first-floor aspect of the proposal has been sited away from the neighbouring dwelling to the North East by 1.9m, towards the adjoined property which will have no significant impacts upon habitable windows. Although the first-floor extension has an eaves height greater than 3m within 1.5m of the property boundary, as the closest first floor window in the adjoined neighbouring property (4 Wasp Nest Road) does not service a habitable room it is considered that any impacts on overshadowing will not be significant and not enough to warrant a refusal from the LPA. In addition it is noted that the first floor rear extension may cause some overshadowing impact upon the roof lights within No. 4's single storey rear extension, this will only be within the morning and the rear fenestrations will provide additional light. As such there are no concerns with overshadowing impact in this regard.

Furthermore, as the single storey rear extension already exists at the application property, it is considered that maintaining this will not increase impacts upon the residential amenity of neighbouring occupiers.

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 and Paragraphs 5.1 and 5.8 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12, and Paragraph 135, of the National Planning Policy Framework.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and 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.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

It should be noted that although nothing specific is detailed on the submitted plans, the site will retain adequate space for waste storage.

Although the number of bedrooms in the dwelling will increase from two to three as a result of the development, this will not increase the provision for off-street parking spaces at the dwelling, and as the site is not losing any off-street parking spaces, given it currently possesses none, the current parking arrangements for the property are considered acceptable to remain.

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. 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 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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Other Matters

Impact upon Ecology

Chapter 15 of the National Planning Policy Framework is 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 roosting area, the proposals are relatively modest, and in this case would not impact upon the existing roof space which has the potential for providing a roost for bats. Therefore it is considered unlikely that the proposals would have a significant impact on the bat population. An informative would be included 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. Subject to informative the proposal is considered to be acceptable in this regard.

7. Representations

No representations have been received.

8. 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; the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation CONDITONAL FULL PERMISSION

Decision Authorisation: Delegated Powers

Application Number: 2025/91873

Officer Recommendation: Conditional Full Permission

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 & LP35 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, 14 and 16 of the National Planning Policy Framework

2. 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 in accordance with Policies LP01, LP02, LP24 & LP35 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 and 16 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
Existing and Proposed Layout and Elevations	2525 – 01E	-	06/01/2026
Application Forms	-	-	24/07/2025
Climate Change Statement	-	-	24/07/2025
Design and Access and Heritage Statement	-	-	24/07/2025

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 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 case officer sought it necessary to request amendments regarding the removal of the initially proposed dormer due to its size, scale, and incongruous appearance. As a result, the applicant decided to move forward with the application with only the first-floor rear extension, which was considered acceptable.

Report Dated:	06/01/2026