

**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:	<b>2025/62/91884/W</b>
Site Address:	20, Slack Lane, Outlane, Huddersfield, HD3 3FQ
Description:	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.**

John Holmes

***AUTHORISED OFFICER***

**Date: 16-Sep-2025**

## **Officer Report – 2025/91884**

### **Site Description**

20 Slack Lane, Outlane is a mid-terrace dwelling constructed from natural stone to the front, with a rendered finish to the rear elevation. The property benefits from a small area of hardstanding to the front, along with private amenity space to the rear. Off street parking can be found on the gravel area adjacent to the front elevation of the property and to the south of Slack Lane. Boundary treatment consist of stone/dry stone walling and fencing.

The site is situated within a small cluster of residential dwellings within the Green Belt. A Public Right of Way (PROW) HUD/434/20 also runs along the road to the front of the site, with no. 16 Slack Lane being Grade II Listed.

### **Description of Proposal**

#### *The Scheme*

The applicant is seeking permission for the erection of a single storey rear extension

#### *Supporting Information*

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

- Climate Change Statement

### **History of Negotiations / Amendments Received**

No amendments have been requested by Officers.

### **Relevant Planning History**

The most relevant planning history relates to the following planning application

2022/91158 - Erection of single storey rear extension – Conditional Full Permission.

### **Representations**

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

The application has been publicised as affecting the setting of a listed building & affecting a public right of way (HUD/434/20) on the Council's website, by site notice and by press advertisement. The expiry date of the publicity period was the 28/08/2025.

## **Consultation Responses**

No consultations were deemed necessary for this application.

## **Allocation and Policy**

The site is allocated Green Belt within the Kirklees Local Plan (adopted 2019). The site is also located within the proximity of PRow HUD/434/20 and a Grade II Listed Building.

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
- LP35 Historic Environment
- LP57 The extension, alteration or replacement of existing buildings

### *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
- Chapter13 Protecting Green Belt land
- Chapter14 Meeting the challenge of climate change, flooding and coastal change
- 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.

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.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'.

## **Assessment**

### **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.

The site is located within a green belt area within 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 of the KLP 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”.

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open;

All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the exceptions set out in Paragraph 154 and 155.

Within Paragraph 154 the exception listed as part c) is for 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, is considered relevant to this application.

Policy LP57 of the Kirklees Local Plan sets out that the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance including the design and materials as well as having regard to previous extensions and the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas.

The proposal would not have any significant impact upon the five green belt purposes set out in paragraph 138 of the NPPF as the application seeking advice is not of a great enough scale to have major effects on a green belt dwelling.

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’.

Paragraph 5.1 of the SPD states that rear extensions should:

Maintain the quality of the residential environment and relate well to the neighbouring buildings. Rear extensions should generally not be visible from the street and should retain a reasonable living environment for the property being extended. Finally, external access to the properties rear garden should remain.

Paragraph 5.6 goes into more detail about single storey rear extension and states:

- be 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);
- not exceed 4 metres in height;
- not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;
- where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

As the proposal is an extension or alteration to an existing building that is considered proportionate to the size of the original building, it is considered the proposal would not constitute inappropriate development in the green belt and would accord with policy LP57 and policies set out within Chapter 13 of the NPPF.

On the basis the development has an acceptable impact upon visual amenity, residential amenity and access / highway safety considerations, as well as all other relevant considerations, the principle of development is considered to be acceptable in this case.

## **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 5.6 of the House Extensions and Alterations SPD are outlined 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.”*

Paragraph 212 of the National Planning Policy Framework states:

*“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*

As the application property is terraced, the proposed rear extension will be entirely set behind the original building, not projecting beyond the sides, and not visible from the front of the property. Furthermore, the extension is considered to be subservient to the host property, remaining in keeping with the scale and style of the original house, thus having no significant impact upon visual amenity.

As such, the built form would be screened to the rear of the site and would be no greater than the existing development at no. 18. For these reasons, it would not unduly detract from the character of the terrace row.

The submitted application form sets out the materials of construction would be an off white render, the design of the proposal has changed in terms of the roof when compared to the previously approved scheme. The proposal would be a parapet wall with flat roof behind and roof lantern in the centre. The proposed roof is considered to be acceptable in relation to the dwelling and would not have a significant visual impact having regard to the parapet roof design and use of matching materials given the host use of render to the host / neighbouring dwellings.

The application has been assessed by the impact it would have on the character and setting of the nearby Grade II Listed Building at no. 16 Slack Lane. In this instance, it has been noted that the works would be situated to the rear of the site and would be screened by the existing two storey rear

extension at no. 18. As such, it is not considered that the works would detrimentally impact upon the character and setting of the heritage asset.

To ensure the development has an acceptable appearance a condition is recommended to be included which requires the render to be completed prior to the development being brought into use and in accordance with the details of the render set out in the application form which specifies the render would be 'silicone render' in an off white colour finish.

The proposed development is therefore considered to comply with Policies LP1, LP2, LP24, and LP35 of the Kirklees Local Plan, Principles 1, 2, and 7 and Paragraph 5.2 of the Council's House Extensions and Alterations SPD and policies within Chapter 12, 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 Paragraph 5.1 and 5.6 of the House Extensions and Alterations SPD are outlined in the 'principle' section of this report.

Consideration is given to the planning history and previous approval granted by virtue of application 2022/91158. The scheme the subject of this application is largely of the same scale and proportions, with a reduced bulk and massing in terms of the roof.

Despite the proposal extending 3.5m from the rear elevation of the original building, where the SPD recommends 3m, exceeding a 2.5m eaves height where it extends over 3m, and being located closer than 1m to the property boundary. It is considered that these would not have a significant impact to the residential amenity of neighbouring properties due to the existing rear extensions erected at adjoined properties.

Having regard to the conclusions drawn in the consideration of application 2022/91158, fact these are considered to be applicable to the scheme the subject of this application and the size / scale of the proposal 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 policies within Chapter 12, and Paragraph 130, 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.

As the number of bedrooms in the property will not increase as a result of the proposal, and the off-street parking area adjacent to the front of the dwelling will not be reduced in scale, it is considered that the parking provision at the dwelling is acceptable to remain as current. Furthermore, the proposal will have no significant impact on highway safety.

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 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.

#### *Public Right of Way (PROW)*

The public footpath HUD/434/20, runs along the highway to the front of the application site. In this instance, due to the location of the works, they would not detrimentally impact upon the PROW or its setting and therefore no concern has been raised. However, a note would be attached to the decision notice to ensure that the footpath is not obstructed or interfered with prior, during or after construction work will be attached to the decision notice.

### **6. Representations**

No representations have been 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, the proposed development would constitute sustainable development and is therefore recommended for approval.

**Recommendation  
PERMISSION**

**CONDITIONAL FULL**

**Decision Authorisation: Delegated Powers**

**Application Number:** 2025/91884

**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).
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

3. The render used for the external walls of the single storey rear extension hereby approved, shall be completed in accordance with the details provided within the submitted application form prior to the development being brought into use.

**Reason:** In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, the aims of the House Extensions and Alterations SPD and the National Planning Policy Framework.

**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 work may be carried out.

**NOTE:** Please note that the granting of planning permission does not overrule private legal rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works as construction and maintenance or parking of vehicles may involve access to land outside your ownership or subject to private rights of way.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	1154 (PL) 01	Rev A	23/07/2025
Existing Plans and Elevations	1154 (PL) 02	Rev A	23/07/2025
Proposed Plans and Elevations	1154 (PL) 03	Rev D	23/07/2025
Application Form	-	-	23/07/2025
Climate Change Statement	-	-	23/07/2025

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.