

**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:	2025/62/92077/E
Site Address:	13, Rutland Road, Flockton, Huddersfield, WF4 4TF
Description:	Erection of two storey side extension and conversion of garage to habitable accommodation with associated alterations
Recommending Officer:	Jennifer Booth

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 23-Sep-2025

OFFICER REPORT

Site Description

13 Rutland Road is a brick built, semi-detached dwelling with a porch to the front and a garage to the side. The dwelling has a drive to the front of the property with a timber shed and an enclosed garden to the rear.

The property is located on a cul de sac with properties of a similar age and style.

Description of Proposal

The application is seeking planning permission for the erection of a single & two storey side extension incorporating the existing garage, converting it to living accommodation.

The extension would project 2.4m from the original side wall of the dwelling, extending the depth of the property on the ground floor with a 4.5m set back at first floor. The roof form would be lean to over the ground floor with a set down pitched roof over the first floor.

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

Relevant Planning History

2025/90860 – Erection of two storey side extension - Approved

Representations

The application was advertised by neighbour letters, which expired on 20/08/2025

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

Kirkburton Parish Council have been notified and responded with no comment.

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.

Planning permission was granted earlier this year for a two storey side extension. The depth of the first floor has been reduced in these proposals. The plans shall be considered below.

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 on to 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.

Paragraphs 5.15, 5.19 & 5.21 of the House Extensions & Alterations SPD are of relevance 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.

The proposed development comprises a single and two storey side extension to the host property. The extension is designed to be subservient to the main dwelling, with an increased set back at first floor level from the previous approval with a corresponding set down which ensures the addition remains visually subordinate and does not dominate the original form of the dwelling.

Importantly, the proposal maintains a minimum 1 metre gap between the side elevation of the extension and the shared boundary. This separation is considered sufficient to prevent any terracing effect from arising and helps retain the sense of spacing between dwellings, which is a key characteristic of the surrounding streetscape.

In terms of external appearance, the proposed materials and architectural detailing are indicated to match those of the existing property. This includes the use of matching brickwork, roofing tiles, window styles and other architectural features, which will contribute to a cohesive and harmonious appearance.

Overall, the proposed extension is of an appropriate scale and design that respects the character and appearance of the host property and the wider street scene. The use of matching materials further ensures that the extension will integrate well with the existing building. As such, the proposal is considered to be acceptable in terms of its design and visual impact, in accordance with relevant local planning policies and design guidance.

The development proposals would result in harm to the visual amenity of the host dwelling and character of the area, contrary to 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.

Impact on 11 Rutland Road

The adjacent dwelling is positioned on a stepped building line, set further back towards the rear boundary in comparison to the host property. This offset in positioning creates a staggered relationship between the two properties, increasing the spatial separation along their side boundaries. The proposed side extension to the host property would partially align with the neighbouring property's driveway to the front and would run alongside part of the side elevation of the neighbouring dwelling.

It is noted that the neighbouring property already benefits from a single-storey side extension, which features a blank side elevation facing the proposed development. This blank wall presents no habitable room windows, and therefore, the proposed extension would not obstruct any primary outlook or reduce the amenity of any living spaces. Additionally, at first floor level, there is only a single window on the side elevation of the neighbouring property, which appears to serve a landing or non-habitable space. This further reduces the potential for any detrimental impact on neighbouring amenity, as such windows are not generally afforded the same level of protection in planning terms as those serving habitable rooms.

Given the offset positioning of the neighbouring dwelling, the existing side extension, and the limited presence of sensitive windows, the proposed development would not result in any significant overshadowing or loss of light to the neighbouring property. Likewise, the extension would not appear

overbearing when viewed from the adjacent property due to the spatial arrangement and the limited height and scale of the addition relative to the neighbouring dwelling.

Furthermore, whilst it is noted that there would be new windows in the rear of the extension, these would have limited additional impact over the existing arrangements. Taking into account the orientation and lack of direct window-to-window relationships would ensure that there would be no issues of overlooking or loss of privacy arising from the development.

With regards to the impact on the adjacent 11 Rutland Road, 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 15 Rutland Road

The proposed extension would be constructed on the opposite side of the host property from the adjoining dwelling, thereby maintaining a clear physical separation from the shared boundary. As a result of this positioning, the development would have no impact on the amenities of the occupiers of the adjoining neighbouring property. Specifically, there would be no issues relating to overlooking, as there would be no direct views into private spaces; no overshadowing, as the extension is located well away from the neighbouring property; and no overbearing impact, as the development would not be visible in any significant way from the neighbouring dwelling's principal rooms or garden area. The relationship between the properties would therefore remain unaffected by the proposed extension.

With regards to the impact on the adjoining 15 Rutland Road, 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 2 Rutland Road

The front elevation of the host property is oriented towards the side elevation of the neighbouring property at 2 Rutland Road, with a separation distance of approximately 21 metres between the two dwellings. This substantial distance ensures that the proposed development would maintain the existing sense of space between the properties and would not lead to any physical or visual encroachment.

Given this spatial relationship, the proposed side extension would have no adverse impact on the residential amenity of 2 Rutland Road. The orientation and positioning of the extension, in combination with the separation distance,

would ensure that there is no opportunity for overlooking into private windows or garden areas. As the extension does not include any new windows facing directly towards the neighbouring property's side elevation, and given the intervening distance, there would be no loss of privacy.

Additionally, the proposed extension would not result in any overshadowing of 2 Rutland Road, as the orientation and distance would prevent any significant loss of sunlight or daylight to that property. Similarly, the development would not appear overbearing or visually intrusive when viewed from the neighbouring dwelling, as the separation ensures a clear sense of space and avoids any perception of dominance or enclosure.

Overall, the proposed side extension respects the existing spatial arrangement between the two properties and would not result in any harm to the living conditions of the neighbouring occupiers. The development is therefore considered to be acceptable in terms of its impact on outlook, privacy, and light, and compliant with local planning policies aimed at safeguarding residential amenity.

With regards to the impact on the neighbouring 2 Rutland Road, 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 216 Barnsley Road

The neighbouring property located to the rear of the application site is positioned approximately 25 metres away. This substantial separation distance ensures that the proposed development would not encroach upon or reduce the existing space between the properties. As such, the proposals would preserve the current levels of openness and spatial character in this part of the site.

Given the generous distance and the orientation of the dwellings, the proposed side extension would not give rise to any issues of overlooking, as there would be no direct window-to-window views that could compromise the privacy of neighbouring occupiers. Furthermore, due to its siting and scale, the extension would not result in any significant overshadowing of adjacent garden areas or habitable room windows. The development would also avoid any overbearing impact, as the visual separation and height relationship between the buildings would remain respectful of the surrounding built environment.

In light of the above, it is considered that the proposed side extension would not harm the residential amenity of the neighbouring property to the rear and would be compliant with relevant planning policies aimed at protecting outlook, light, and privacy.

With regards to the impact on the neighbouring 216 Barnsley Road, the scheme is considered to be acceptable 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. Whilst the scheme would include the loss of the garage, the garage is not big enough to meet current parking standards. Furthermore, the parking area to the front 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:

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.

Conclusion:

This application to erect a two storey extension to the side of 13 Rutland Road 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 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: 2025/90860

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.

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
Location Plan	-	1098086	24/07/2025
Proposed Site Plan	-	1098092	24/07/2025
Existing Elevations and Floor Plans	-	1098087	24/07/2025
Proposed Front & Rear Elevations	-	1098089	24/07/2025
Proposed Side Elevation	-	1098091	24/07/2025
Proposed Floor Plans	-	1098088	24/07/2025
Proposed Section	-	1098090	24/07/2025
Climate Change Statement	-	1098093	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 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.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated

17/09/2025

