

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:	2025/62/92122/W
Site Address:	39, Birklands Road, Cowcliffe, Huddersfield, HD2 2PF
Description:	Demolition of existing conservatory and erection of single storey rear extension with patio and associated alterations
Recommending Officer:	Joshua Merriman

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: 24-Sep-2025

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/92122
Location	39, Birklands Road, Cowcliffe, Huddersfield, HD2 2PF.
Proposal	Demolition of existing conservatory and erection of single storey rear extension with patio and associated alterations.
Publicity end date	12/09/2025
Number of representations received	None.
Kirklees Local Plan Allocation/Designation	The application site is located adjacent to PRoW HUD/389/10, within a bat alert layer, and has had permitted development rights removed.
Extension to Time (EoT)	No
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) December 2024
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development

- NPPF Chapter 12 – Achieving well-designed places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF Chapter 15 – Conserving and enhancing the natural environment

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	
Parish/Town Council comments sought	No	
Planning History	No	There is no relevant planning history at the application site.
Consultations required	No	

Assessment

Description of development:

The application seeks permission for the demolition of existing conservatory and erection of single storey rear extension with patio and associated alterations.

The proposed single storey rear extension will not extend beyond the rearmost elevation of the original house, with a maximum height of 2.73m, eaves height of 2.43m, and a width of 2.98m.

The patio and associated alterations include new opening details on the property and a canopy style structure to the side of the house.

The site is unallocated in the Kirklees Local Plan however it does lie directly adjacent to the Green Belt. However, due to the location of the property and the proposed extension/works, there will be no impact to the Green Belt and therefore an assessment of relevant Green Belt policies is not required.

The Kirklees SPD sets out that single storey rear extensions should comply with certain parameters set out at paragraphs 5.1 and 5.6 on pages 23 and 24 (and listed below) and if they do not, they need to be justified:

Rear extensions should:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained	At least 50% of the current garden area on site will be retained.	
Be set behind the original building, and not projecting beyond the sides	The extension will be entirely set behind the original building, not projecting beyond the sides.	
Maintain external access to the rear garden	The current external access to the rear garden via the South of the dwelling will be retained.	
Single storey rear extensions should:		

be in keeping with the scale and style of the original house	The proposal is considered to be subservient to the host dwelling and will be constructed using materials that are sympathetic to the host dwelling.	
not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	At least half of the total area around the original house will remain.	
not exceed 4 metres in height	The extension has a maximum height of 2.73m, not exceeding 4m.	
not project out more than 3 metres from the rear wall of the original house for semidetached and terraces houses or by 4 metres for detached properties	The proposal does not project further than the current rear elevation of the house.	
where they exceed 3m in length the eaves height should generally not exceed 2.5 meters	The proposal does not exceed 3m in length.	
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge		A gap of 0.76m is retained to the North West property boundary, however, there are no neighbouring properties in that direction, therefore, this is not considered to have any impacts and is acceptable.

Design and Visual Amenity:

Summary of local street scene/character:

The application site relates to 39, Birklands Road, Cowcliffe, Huddersfield, HD2 2PF, a detached bungalow faced in stone with a pitched tiled gable roof, and gable end dormer to the front elevation, with uPVC windows and doors. The application property lies in a relatively uniform street scene, being

surrounded by dwellings of a similar size, scale, character, appearance, and age. Furthermore, the property benefits from a hard-standing parking area to the front, and amenity space wrapping from the front of the dwelling to the side, including a pond and garden area.

The patio and associated alterations involve new openings to the house and a canopy style structure to the side. These will all complement the character and appearance of the property and will complement the existing property leading to no visual harm.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	As the development is to the rear of the dwelling and well-screened from the street scene, it is considered that there will be no significant impact upon the local character and street scene.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The rear extension and patio cover are to be erected using sympathetic materials to the host property, and are subservient in scale, therefore, there is considered to be no significant impact upon the original house.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The proposals are subservient to the original house with regard to height, scale, and massing.	✓
Facing materials and detailing	• KDP 9 of the SPD	The extension will be faced in natural and grey timber cladding and use dark grey framed glazed	✓

	• Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	sliding doors and windows, which are both considered to be sympathetic to the host property and well-screened from the street scene to have no significant impact upon visual amenity.	
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The patio will have a roof also constructed using dark grey frame and timber fascia, which is considered sympathetic to the host dwelling.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	All windows proposed in the development are considered proportionate to those in the existing dwelling with regard to size and positioning.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	Private domestic extension – no alternate access arrangements required.	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 37, Birklands Road, Cowcliffe, Huddersfield, HD2 2PF – Neighbouring property to the South.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
--	---	-------------------------	----------------------------

Impact on privacy of neighbours (to sides, rear and front)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Due to the natural screening present around the proposed site of development, it is considered that there will be no significant impact upon the privacy of neighbours.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Due to the limited scale of the development and adequate distance between the application property and neighbouring dwellings, it is considered that there will be no significant impact upon light and outlook of neighbours.	✓
Impact on overbearing or overshadowing	• KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	As aforementioned, due to the limited scale of the proposal and distance to neighbouring dwellings, it is considered that there will be no significant impact upon neighbouring properties with regard to overbearing or overshadowing.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF	At least 50% of the garden space on site will remain, which is considered an acceptable amount.	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
--	---	-------------------------	-------------------

Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	As the extension is set well back from the highway and not largely visible from the front of the house, it is considered that there will be no significant impact upon highway safety.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The number of bedrooms in the dwelling will not increase as a result of the proposal, and the hard-standing parking area on site will not be reduced in scale, therefore, the current parking provision is acceptable to remain.	✓
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Although nothing specific is detailed within the submitted plans, there will be adequate space on site for waste storage.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	The proposal is not close enough to have any significant impact upon trees.	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30	While the site is within a bat alert layer, the nature of the	✓

	Chapter 15 of the NPPF	proposal is not considered to have significant impacts to roosting potential. It is recommended that in this case an appropriate approach of the LPA is the inclusion of an informative note upon and grant of permission which alerts the applicant of their private responsibilities if any signs of bats or potential to disturb those protected species are found.	
Carbon Budget / Climate change statement	- KDP 8, 9, 10 & 11 of the SPD - Policy LP51 - Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	✓
Drainage and Flood Risk	- KDP 14 of the SPD - Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

None received.

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 that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2025/92122

Officer Recommendation: Conditional Full Permission

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 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

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Site Plan, Elevations and Floor Plans	EX0003	-	01/08/2025
Proposed Site Plan, Elevations and Floor Plans	AL0003	A	01/08/2025
Application Forms	-	-	01/08/2025

Plan Type	Reference	Version	Date Received
Climate Change Statement	-	-	01/08/2025

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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 12/09/2025