

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:	2025/62/92332/W
Site Address:	4, Old Lane, Scapegoat Hill, Huddersfield, HD7 4ND
Description:	Erection of rear extension
Recommending Officer:	Joanna Rednall

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.

Emma Thompson

AUTHORISED OFFICER

Date: 13-Oct-2025

2025/92332 - 4, Old Lane, Scapegoat Hill, Huddersfield, HD7 4ND

The Site

4 Old Lane is a detached, three-storey residential property located in Scapegoat Hill, Huddersfield. The building is constructed in stone with a slate roof and incorporates a split-level design due to the sloping topography of the site. The front elevation presents three storeys in height, while the side elevation appears as two storeys. A garage is situated at ground level, with a terrace positioned above. The property also includes a raised amenity space to the side.

The site is not located within a Conservation Area and there are no listed buildings nearby. The site is unallocated on the Kirklees Local Plan map.

The Proposal

The applicant is seeking planning permission for erection of rear extension.

The proposed extension is at first floor level, located to the north-facing elevation above an existing lean-to single storey projection. The width of the extension is ~7.2m with a total height of ~7.5m to the ridge of the pitched roof.

The extension is finished in stone with a slate roof. Internally, the extension serves an ensuite and an extension to the existing bedroom. Windows are proposed to the north, east and west facing elevations.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Planning History

Relevant planning history for this site is summarised as follows:-

2015/92476 – Erection of three detached dwellings

Refused – Appeal upheld

2016/94061 – Erection of two dwellings

Refused – Appeal upheld

2018/92336 – Discharge of condition 4 (Road Widening Scheme), 7 (Ecological Design Strategy) and 12 (Landscaping) on previous permission 2015/92476 (APP/Z4718/W/17/3180494) for erection of three detached dwellings

Discharge of conditions split decision

2020/91916 – Discharge conditions 3, 5, 6 on previous permission 2015/92476 (APP/Z4718/W/17/3180494) for erection of 3 detached dwellings
Discharge of conditions approved

2020/94403 – Non material amendment to previous permission 2015/92476 for erection of three detached dwellings
Refused

2021/90309 – Variation condition 2 (plans) on previous permission 2015/92476 for erection of three detached dwellings
Removal or modification of conditions

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice.

Final publicity date expired: 19th September 2025.

No representations were received as a result of the publicity.

Parish/ Town Council Comments

N/A.

Consultations

No statutory consultations were requested for this application.

Allocation & Policies

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).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision

LP24 Design

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th 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. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

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.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon visual amenity
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

The site is without notation on 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 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”.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

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. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The rear extension is proposed above the existing single-storey outrigger, resulting in a two-storey projection to the rear of the property. The extension is designed with a pitched roof, with the eaves aligned to match the height of the existing dwelling, while the ridge line is set below that of the main roof, ensuring the first floor extension would not compete in scale with the host building. The extension would occupy less than half the width of the original rear elevation, allowing a significant portion of the existing rear façade to remain visible and intact. As a result of its scale, positioning, and design, the extension would appear subordinate to the original dwelling.

In addition to the points outlined above, the extension would be finished in materials that match the existing dwelling, with fenestration details designed to reflect those of the host property, ensuring consistency in appearance and design with the host property. Two rooflights are proposed to each side of the gable roof, these are small in scale and would not have a significant visual impact.

While the extension is located to the rear, it would be partially visible from public vantage points along Old Lane. However, its modest scale, sympathetic design, and use of matching materials would ensure that it does not appear as an incongruous addition within the street scene. For these reasons, the proposal is considered to integrate well with the character and appearance of the host dwelling.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. 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 House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”.*
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”.*
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

In terms of overlooking, the submitted plans indicate that three new openings are proposed, two on the rear elevation and one on the side (west-facing) elevation. The rear-facing windows would overlook a substantial retaining wall at the rear of the site and would not result in direct views into neighbouring windows or private amenity spaces. The side-facing window would overlook the

main amenity area of the host property. Given the topography of the area, with the nearest neighbouring dwelling located at a lower level beneath Old Lane, this opening would not align with or directly face any neighbouring windows. As such, the proposed development is not considered to give rise to harmful overlooking or a loss of privacy for neighbouring occupiers.

With regard to overbearing/ overshadowing, due to the siting of the proposed extension and its relationship with the existing retaining wall to the rear, the development is not considered to result in an overbearing presence. Furthermore, the extension is not anticipated to cause unacceptable levels of overshadowing or loss of light to any neighbouring properties. The proposal is therefore not considered to have a materially adverse impact on the residential amenity of adjacent 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 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within 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.

The proposed development would not increase the number of bedrooms on site, and it is considered the number of occupants within the dwelling would remain as existing. With this being the case, the existing parking arrangements are considered to be acceptable.

The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

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 pre-dates 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 modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

6 – Representations:

None 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 that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/92332

Officer Recommendation: Approve

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 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.

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 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 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	GJOL-MWA-XX-XX-DR-A-0001	P01	19/08/2025
Existing Site Plan	GJOL-MWA-XX-XX-DR-A-0006	P01	19/08/2025
Existing Plans	GJOL-MWA-XX-XX-DR-A-0002	P02	19/08/2025
Existing Elevations	GJOL-MWA-XX-XX-DR-A-0003	P01	19/08/2025
Proposed Site Plan	GJOL-MWA-XX-XX-DR-A-0007	P01	19/08/2025
Proposed first floor	GJOL-MWA-XX-XX-DR-A-0004	P03	19/08/2025
Proposed Elevations	GJOL-MWA-XX-XX-DR-A-0005	P01	19/08/2025
Application form	-	-	19/08/2025
Climate Change Statement	-	-	19/08/2025

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

Report Dated:

08/10/2025

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