

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:	2025/62/92504/W
Site Address:	45a, St Helen's Gate, Almondbury, Huddersfield, HD4 6SG
Description:	Erection of two storey rear extension (within a Conservation Area)
Recommending Officer:	Morgan Braithwaite

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 09-Jan-2026

OFFICER REPORT

Site Description

45a St Helens Gate, Almondbury, Huddersfield, HD4 6SG is a two-storey detached dwelling faced in stone. The property benefits from a private driveway and amenity space. It is noted that access to the dwelling is shared with the adjacent dwelling, NO.53 St Helens Gate, with the driveway meeting the highway of St Helens Gate.

The surrounding dwellings vary in scale and design; however, the material palette of stone can be observed most frequently. The area is predominantly residential with access to a range of local amenities.

The site is located within the Green Belt and within the Almondbury Conservation Area, along with Grade II Listed Buildings located across the highway of St Helens Gate (No. 34 and No.36)

Description of Proposal

The application seeks permission for the erection of a two-storey rear extension (within a conservation area). The proposed extension would project 4m beyond the rear wall of the existing dwelling, spanning a width of 4.4m. A flat roof is to feature, with a maximum height of 5.2m.

At ground floor level, bi-folding door and windows shall feature, with large windows located directly above at first floor level. The materials selected shall match that of the existing dwelling, with the exception of the roofing material. Due to the proposal including a flat roof, a warm flat roof system shall be utilised in place of traditional roofing materials.

History of Negotiations/Amendments

No negotiations have been requested as part of the planning process. An amendment has been requested on the existing plans, changing the annotation from "proposed ground floor plan" and corrected to "existing ground floor plan"

Relevant Planning History

2008/93962: Erection of detached dwelling with integral garage (modified proposal). Conditional Full Permission

2024/92063: Conversion and extension of dwelling to form 8 apartments (within a conservation area). Refused

2025/91565: Certificate of lawfulness for proposed erection of two storey rear extension (within a conservation area). Cert of Lawful Opps Refused

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: 21st November 2025

In response to publicity, 4 objections were received. The issues highlighted from these objections have been discussed further in Assessment section of the report under section 6) Representations.

Consultation Responses

Highways

A Kirklees Council Highways Officer was consulted regarding the application. The officer expressed support from highways due to satisfactory parking provision already existing at the property. The property has a gated entry which is set back from the highway, allowing a singular vehicle to wait for the gates to open without obstructing the highway. The proposal would not see a loss of parking provision.

Conservation

A Kirklees Council Conservation Officer was consulted informally regarding the application. They were of the opinion that the proposal was acceptable providing that the following are adhered to:

- The materials used in construction match that of the existing dwellinghouse
- The flat roof is to feature a parapet as shown on the submitted plans
- Any new windows are to be recessed by 100-150mm as well as incorporating stone heads and cills

Proximity to Listed Buildings

It is noted that a Listed Building is located approximately 26m to the east of the application property. No.34 St Helens Gate is a late 18th or early 19th century dwelling. The property is two storey in scale faced in red brick and featuring a hipped stone slate roof. Further features and architectural details include moulded eaves cornice, continuous 1st floor sill band, 4 ranges of sashes with glazing bars, ashlar voussoirs and keystones.

It is not anticipated that the proposed works to no 45a would result in any detrimental harm to no.34 or detract from its listed status.

Trees

It is noted by officers, as well as being indicated on the submitted plans that the extension would project towards protected trees located to the rear (north).

A Kirklees Council Arboricultural Officer was informally consulted regarding the application. The officer noted that there were two TPOs (ref.02/00) along with the Almondbury Conservation Area to the northern side of the building. Furthermore, it is highlighted there is an existing patio along with a level change between the lawn and patio to the north of the existing dwelling. The officer

concluded that no additional tree information would be required in support of the planning application.

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. 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
- **LP2** – Place shaping
- **LP7** – Efficient and effective use of land and buildings
- **LP11** – Housing Mix and Affordable Housing
- **LP 22** Parking
- **LP 24** – Design
- **LP35** – Historic Environment

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 and beautiful places
- Chapter 13 – Protecting the Green Belt
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conditions
- 7) Conclusion

1) Principle of development

The site is without notation of 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 the property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and 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 planning considerations, including visual and residential amenity, as well as highway safety. The site resides within both the Green Belt and Almondbury Conservation Area.

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”.

Green Belt

The application site is located within the Green Belt layer on the Council's GIS system. Policy LP57 of the KLP states that proposals for the extension, alteration or replacement of buildings in the Green Belt will usually be considered acceptable provided. In the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building.

Disproportionate additions will be deemed to be those where the original building is no longer the dominant element, and this will not be judged solely on whether the extension is visible from public vantage points does not make it acceptable as any built form impacts openness.

The proposed extension is to be two-storey in scale and located to the rear of the host dwellinghouse. The property is partially screened by established trees and a fencing forming additional screening. The extension would infill an existing alcove in the rear elevation of the property and would feature a flat roof; this would be significantly set down from the ridge height of the existing dwelling. Therefore, the proposal would not dominate the existing dwelling, nor would it detract from the Green Belt setting. Due to the orientation of the dwelling as well as the character of the local area, the proposal would have a limited impact on the openness of the Green Belt. It is therefore considered that the proposal is acceptable in its relation to its Green Belt setting.

Conservation Area

It is noted that the application property resides with a Conservation Area layer on the Council's GIS system. An informal consultation has taken place with a Kirklees Council Conservation Officer who deemed the proposal acceptable. The application property is surrounded by established trees, partially screening it from the public realm. Furthermore, the dwelling is relatively modern and therefore the proposal would not detract from the heritage of either the property itself or the surrounding area.

These issues along with other policy considerations will be addressed below.

2) Impact on 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 applicant seeks permission for the erection of a two-storey rear extension. This extension is to project 4m beyond the rear wall of the host dwelling;

therefore, complying with the HEASPD. Furthermore, the proposal would be a subservient addition which has been designed to remain in keeping with the original dwellinghouse and the surrounding area.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with 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.

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.

The application property is a detached dwelling, with significant separation distances from neighbouring properties. No neighbouring properties are in close proximity to the northern elevation where the proposed works are to be undertaken; it is further noted that established trees and a boundary fence would partially screen the proposal from the public realm and from neighbouring properties. While the proposal is two storeys in scale, submitted plans indicate that the extension would feature a flat roof which is set down significantly from the ridge height of the existing property. As such, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impact.

In summary, the proposal would have no adverse impact upon the residential amenity of adjacent occupiers and would accord with Policy LP24 of the KLP and the Key Design Principles of the House Extensions and Alterations SPD.

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 see the addition of a sixth bedroom. However, it is noted that the applicant site already possesses more than adequate parking provision. A Kirklees Council Highways officer has been consulted on the application and has raised no concerns regarding the proposal's potential impact on parking provision or highways safety.

Therefore, the proposal 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 and Alterations SPD.

5) Other matters

Carbon Budget

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.

The proposal is a small-scale development to an existing dwelling. As such, no special measures are 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.

Bats

The property is located within a Bat Alert layer in the council's GIS mapping system. A note has been added advising of how to proceed should bats be encountered on site.

Trees

It is shown on the Council's GIS system that there are two trees within the application property's curtilage, as well as being located in close proximity to the dwelling itself and the elevation of the proposed works. A Kirklees Council Arboricultural Officer was informally consulted regarding the trees. It was deemed that no additional tree information would need to be submitted in relation to the application.

6) 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: 21st November 2025

In response to publicity, 4 objections were received which raised the following concerns:

Highways

- That the development would increase the number of vehicles accessing the site which is positioned in a high-risk position. There is limited visibility for leaving vehicles to view oncoming vehicles and pedestrians on what has become a busy road along with school children using the pavement entrance to the site.
- Previous use as a holiday let/AirBnb has caused an increase in traffic
- An increase in people living at the property could see an increase in vehicles entering and exiting the dwelling
- Objector states that the property currently has 6 or more cars in the driveway with not enough room to turn cars around. This has resulted on cars reversing onto the highway
- There is no safe parking on St Helens Gate or on Dark Lane due both being narrow roads
- Construction vehicles could potentially cause damage access the dwellings, as well as struggling down the narrow roads

Officer response: A Kirklees Council Highways Officer was consulted regarding the proposal. On the basis of this proposal, the officer had no concerns with regards to highway safety as the property possesses adequate parking provision. The existing vehicular access shall remain unchanged.

Conservation

- The expansion of the property would see an increase in size and usage degrading the conservation
- The proposed development is in a conservation area and deemed by neighbours as out of keeping with the area

Officer Response: A Kirklees Council Conservation Officer was consulted regarding the application. They considered that the proposal would have no detrimental impact on the Conservation Area. It is further considered that the proposal has been sympathetically designed to respect not only the original dwelling but also that of the Conservation Area and the heritage surrounding it.

Wildlife

- The potential for both construction and an increase in people dwelling in the property to disrupt wildlife

Officer response: Some disturbance to wildlife is anticipated during construction. It has been identified and noted that the application property resides within a Bat Alert Layer on the Councils GIS System. A condition and note has been added to this permission stating that works are to be halted should bats be found.

Trees

- Concerns for trees within falling distance of the property – objector states the application states no trees are in falling distance

Officer response: A Kirklees Council Arboricultural Officer was consulted regarding the application and raised no concerns. The proposed extension is to be located on the site of an existing patio as well as near an area with an undulating topography making it unlikely tree roots would be present.

Residential amenity

- Noise and odour disturbance from construction traffic/vehicles using the property post construction
- Previous use as a holiday let/AirBnb has caused noise disturbance
- Potential loss of privacy to neighbouring dwellings.

Officer response: Any disturbance from the property post construction should not be dissimilar to that of a family residing within a dwelling.

If the application is to receive approval, it is for the properties use as a residential dwelling.

Due to the location of the proposed extension to the rear of the dwelling; it is not anticipated that any neighbouring dwellings would be subject to a loss of privacy.

Green Belt

- It is believed that the application would result in overdevelopment which would not be in keeping with the area

Officer response: The application has been considered against Green Belt policy. It has been deemed that the proposal would not constitute disproportionate development in the Green Belt and would remain in keeping with the surrounding area.

Previous planning permission

- Previous applications have been refused on highways grounds and trees. The property has not received permission for a change of use to be used commercially as a part house/holiday let

Officer response: If the application is to receive approval, it is based on its own merits. The proposed works and usage vary from what has previously been proposed; the reasoning of previous refusals have been considered, however, they were not of relevance to this application.

7) 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 condition

9) Conclusion

The application to erect a two-storey rear extension at 45a St Helens Gate, Almondbury, Huddersfield, HD4 6SG has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and 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 Governments 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

CONDITIONAL FULL PERMISSION

Decision Authorisation – Delegated Powers

Application Number: 2025/92504

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 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 and Alterations SPD and the aims of the National Planning Policy Framework.

3. The external facing 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 and Alterations SPD and the aims of chapter 12 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 41 of the Conservation of Habitats and Species Regulations 2010. 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.

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	Plan Reference	Web ID	Date Received
Location Plan	-	1104816	04/09/2025
Block Plan	003/BP/023 - Existing Block Plan	1104820	04/09/2025
Block Plan	003/BP/022 – Proposed Block Plan	1104819	04/09/2025
Grouped Plans and Elevations	003/020 – Existing Floor Plans and Elevations	1104817	09/12/2025
Grouped Plans and Elevations	003/021 – Proposed Floor Plans and Elevations	1104818	09/12/2025
Conservation/Heritage Assessment	Heritage Supporting Statement	1107326	01/10/2025

General	Climate Change Statement	1105846	18/09/2025
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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 2015 and otherwise actively engaged with the applicant in dealing with the application.

During the course of the application, amended plans were requested showing the correct annotations.

Report Dated: 9th January 2026