

**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:	2025/62/92515/W
Site Address:	Millmoor House, 45A, Colders Lane, Meltham, Holmfirth, HD9 5JL
Description:	Erection of two storey rear and single storey rear/side extensions
Recommending Officer:	Molly Storer

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: 05-Nov-2025

OFFICER REPORT

Site Description

The application site refers to 45a Colders Lane, a two storey semi-detached property located within an area without notation on the Kirklees Local Plan. The property is constructed from natural stone and has a concrete tiled roof with the openings comprised of uPVC units. The property is two storeys in height and has a hardstanding area of amenity space to the front and a lawned garden to the rear. The parking for the property is situated beyond the rear garden with a garage and parking area which is accessed via a shared driveway to the side of the property. This driveway provides access to the detached properties to the south-east of the site.

Along the rear boundary of the site is a blanket Tree Preservation Order. Surrounding properties are predominantly residential and vary in terms of size, scale and design with many of the surrounding properties having been altered or extended in some form.

Description of Proposal

Permission is sought for the erection of a two storey rear and single storey rear/side extension.

The two storey rear extension would project from the rear elevation by 3m and will have a width of 3m. The height to the eaves will be 5.2m with an overall height of 6.5m with a pitched roof form. The single storey rear/side extension will adjoin this and will project 2.75m from the rear elevation and have a width of 4.6m (1.2m of this extending beyond the side elevation). The overall height of the flat roof extension will be 3.15m and the roof will have a roof lantern.

History of negotiations/amendments received

None

Relevant Planning History

96/92369– Erection of detached dwelling with detached garage – Conditional Full Permission.

97/90649 – Erection of shed – Full Permission Unconditional.

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via site notice.

Final publicity date expired 10th October 2025 – no representations received

Meltham Town Council – support the application

Consultation Responses

None required

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 without notation on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** – Design
- **LP 33** – Trees

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.

- Chapter 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Documents (SPD's)

- Highways Design Guide Supplementary Planning Document
- House Extensions and Alterations Supplementary Planning Document

Kirklees Council has adopted supplementary planning guidance on house extensions 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.

Assessment

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 extending the existing dwelling is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact on visual amenity:

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.

Paragraphs 5.5, 5.6 & 5.8 of the House Extensions & Alterations SPD are of relevance with regards to the rear extensions as they require the development proposed to maintain the quality of the residential environment and relate well to the neighbouring buildings. It states rear extensions should generally not be

visible from the street and should retain a reasonable living environment for the property being extended.

Specifically paragraph 5.8 states generally, two-storey rear extensions should:

- be proportionate to the size of the original house and garden;
- not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);
- not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;
- not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;
- be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre;
- not adversely affect habitable room windows where they adjoin a neighbour's boundary.

The two storey element has a projection of 3m and would form an acceptable development relative to the host property in terms of its scale. The property would retain the majority of the amenity space. The materials proposed includes the use of natural stone for the walling with concrete tiles for the roof covering to match that of the rear of the property. The roof type and fenestration are considered to form an appropriate relationship with the host property. Whilst the eaves height would exceed 3m and the separation distance to the boundary would only be 0.7m, in this case the neighbouring property has extensions projecting ~3m from the rear elevation. Although these are single storey in height the property No.47 is set on a higher land level meaning the two storey extension will not appear out of place.

Paragraph 5.6 states that single storey extensions should:

- 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
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

Paragraph 5.17 relates to single storey side extensions and states they should:

- not extend more than two thirds of the width of the original house
- not exceed a height of 4 metres
- be set back at least 500mm from the original building line to allow for a visual break.

Whilst the extension would project to the side of the property, this is only at a single storey height. Furthermore, it would only project to the side by 1.2m and would therefore not extend more than two thirds of the width of the main body of the property. Whilst it would not maintain separation distance to the boundary the site boundary is adjacent to a shared driveway and therefore is separated by ~4.3m to the nearest property No.45, rear access is possible from the shared driveway and as such there is not considered to be a design justification present in this case for the LPA to insist the single storey side element be removed and be flush with the host property. The extension would be set significantly back by 8.6m, would be constructed from walls which are matching materials to the host property and would not exceed 4m in height therefore complying with these elements of the SPD.

It is therefore considered that the proposal would be compliant with Key Design Principles 1, 2 and 9 of the SPD, Policy LP24 of the Kirklees Local Plan and advice within Chapter 12 of 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.

In terms of residential amenity, the proposed works would be to the side and rear of the property. Due to topography, the extension would be located on a lower ground level than the adjacent property, No.47. Whilst the two storey element would be within 1.5m of the boundary with this property it would be separated by ~3.7m to the property itself. It is also noted that No.47 has extensions projecting ~3m from the rear elevation which do not have windows facing directly towards the location of the extension. These factors will limit any overbearing or overshadowing impact. It is also noted that there are no windows proposed in the elevation facing this property and therefore privacy will not be significantly impacted.

No. 45 is separated by the driveway leading to the properties to the rear of 45A. As such. It is not considered that the proposal would be oppressive to this neighbouring property despite the extension being built up to No.45A's boundary. In addition, due to the limited height, it is not considered that the proposed extension would be detrimental to this property in terms of overshadowing or being overbearing. There is a window facing in the direction of this property, however this to the ground floor and will face onto the blank elevation of the extension at No.45 therefore it is considered this will not have a significant impact.

A new window would be inserted as part of the development in the side of the host property at the first floor level to the south elevation. On the basis this is obscure glazed (as annotated on the plan) this window is not considered to introduce significantly greater levels of overlooking. A condition to ensure this is the case is recommended.

It is therefore concluded that subject to condition the proposal would have an acceptable impact with regard to residential amenity of occupiers of the host property and neighbouring occupiers. The proposal is therefore considered to be in accordance with the aforementioned policies and Key Design Principles listed above.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan 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.

As there are no additional bedrooms proposed, it is considered that the provision of off-street parking spaces to the rear of the property would be acceptable in this instance and the proposal would therefore accord with Policy LP22 of the Local Plan and Key Design Principle 15 in terms of the provision for parking. In addition, there is adequate space remaining within the site for the provision of waste storage, particularly as the proposal is sited 1m from the boundary. which would comply with Key Design Principle 16 of the SPD.

5 – Other matters:

Climate Change

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible.

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. No specific mitigation measures are required in this instance. A Climate Change Statement has been submitted as part of this application.

Coal

The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an informative note can be appended to the decision notice which constitutes the deemed consultation response.

The application site falls within an area at low risk of ground movement as a result of past mining activities as determined by the Coal Authority. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with paragraphs 174 and 183 of the National Planning Policy Framework.

Trees

There is a blanket Tree Preservation Order running along the rear boundary of the site under number 66/90/G2. Due to the separation distance between the proposed works and the protected trees, it is not considered that the trees would be affected by the proposals and therefore would comply with LP33 of the Kirklees Local Plan.

6 – Representations:

None

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: 2025/92515

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.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications 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 Policies LP1, LP2, LP22, LP24 and LP33 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 15 and 16 of the House Extensions and Alterations SPD and advice within Chapters 12 and 15 of the National Planning Policy Framework.

3. Notwithstanding the submitted plans, the external walls of the extensions hereby approved and roofing materials of the two storey rear extension shall in all respects match those used in the construction of the existing building and be retained thereafter.

Reason: In the interests of visual amenity and to accord with LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of House Extensions and Alterations SPD and advice within Chapter 12 of the National Planning Policy Framework.

4. The development shall not be occupied until the first floor window in the south elevation of the development hereby approved annotated 'new window with opaque glazing' within submitted drawing ref 03 has been fitted with obscure glazing or permanently affixed film which achieves an obscurity of Pilkington level of four or equivalent. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking or re-enacting that Order). The obscure glazing or permanently affixed film shall thereafter be retained for the lifetime of the development.

Reason: To ensure no detrimental level of overlooking of neighbouring occupiers occurs, in the interests of the residential amenity of neighbouring occupiers and to accord with policy LP24 b of the Kirklees Local Plan, Principle 3 of the Council's adopted House Extensions and Alterations SPD and Policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	-	-	05/09/2025
Existing plans	2437 01	-	05/09/2025

Plan Type	Reference	Version	Date Received
Proposed floor plans	2437 02	-	05/09/2025
Proposed elevations	2437 03	-	05/09/2025
Proposed site/block layout	-	-	05/09/2025
Application form	-	-	05/09/2025
Climate change statement	-	-	09/09/2025

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: 29th October 2025

Coal – low