

**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:	2025/62/92566/E
Site Address:	19A, Victoria Street, Heckmondwike, WF16 9LH
Description:	Erection of two storey rear extension
Recommending Officer:	Joshua Merriman

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.

Danielle Cooper

AUTHORISED OFFICER

Date: 09-Dec-2025

Officer Report – 2025/92566

Site Description

The application site refers to 19A, Victoria Street, Heckmondwike, WF16 9LH, a two-storey semi-detached property faced in brick and render, with a pitched hipped tiled roof. The application property lies in a slightly varied street scene, being surrounded by dwellings of a similar character, appearance, and age, however, of differing sizes and scales. Furthermore, the application property benefits from a shared hard-standing courtyard to the rear which acts as amenity space and a parking area for the dwelling.

Description of Proposal

The Scheme

The applicant is seeking permission for erection of two storey rear extension.

The proposed two storey rear extension will project 3m at the ground floor and 2.07m at the first floor, with a maximum height of 7.85m, eaves height of 6.27m, and a width of 4.14m.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

- Climate Change Statement

During the course of the assessment of the application, the following additional/amended plans/information was submitted for consideration:

01/12/2025 - 869 - 003J - Proposed Plans

01/12/2025 - 869 - 004F - Proposed 3D Views

History of Negotiations / Amendments Received

The case officer sought it necessary to request a reduction in the projection of the extension, and ensure the extension was of a suitable width as to have no

significant impacts in the form of overshadowing and overbearing onto neighbouring properties or the shared courtyard area.

Relevant Planning History

There is no relevant planning history at the application site.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2024).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 24/10/2025.

Consultation Responses

No consultations were considered necessary for this application.

Allocation and Policy

The site is allocated in a Strategic Green Infrastructure Network area within the Kirklees Local Plan (adopted 2019).

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP31 Strategic Green Infrastructure Network

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.

- Chapter2 Achieving sustainable development
- Chapter12 Achieving well-designed places

Chapter14 Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)

House Extensions & Alterations SPD (adopted June 2021)

The Biodiversity Net Gain Technical Advice Note

Legislation

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

The Planning and Compulsory Purchase Act 2004.

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 the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Representations
6. Conclusion

1 – 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 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 material planning considerations, including visual and residential amenity, as well as highway safety.

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

2 – Impact on character and appearance of the area

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape'*.

The proposed two storey rear extension is set completely behind the original building, not projecting beyond the sides, and respects the original house with regard to its subservience and using matching and sympathetic materials. The proposal projects a maximum of 3m from the rear elevation of the original property at ground floor level and 2.07 at first floor and is set well back from the opening to the rear of the site to the street, and therefore is considered to have no significant impact on the street scene.

The proposed development is therefore considered to comply with the relevant policies and is acceptable with regard to visual amenity.

3. Impact on Residential Amenity

Sections B and C of LP24 states that alterations to existing buildings should:

"...maintain appropriate distances between buildings' and '...minimise impact on residential amenity of future and neighbouring occupiers."

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Key Design Principle 3 states that extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours

Key design principle 4 sets out 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.

Key design principle 5 relates to overshadowing/loss of light and details that extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.

Key design principle 6 seeks to ensure developments preventing overbearing impact and that extensions and alterations should not unduly reduce the outlook from a neighbouring property.

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

The recommendations of Paragraphs 5.1, 5.2, and 5.8 of the House Extensions and Alterations SPD are outlined in the 'Principle' section of this report.

With regard to the two storey rear extension, it is considered that at least 50% of the current area of land on site will be retained, and the current external access will be maintained to the rear of the dwelling.

Impact on No. 17 Victoria Road

The proposed extension will be located within close proximity to No. 17 Victoria Road's rear extension. However as the extension at first floor level will not project past the rear elevation of No. 17's rear extension there are no concerns to potential overbearing or overshadowing impact. The proposed single storey element will project 3m along the shared side boundary, however as it will only project a modest 1.2m past the rear elevation of No. 17's rear extension and is single storey in height, with the existing fence acting as a screen, there are no concerns to potential overbearing or overshadowing impacts.

Impact on 19 Victoria Road

The proposed extension is set in from the side elevation of No. 19 Victoria Road's rear extension by 4.3m. Given the modest projection at ground and first floor level, the proposed extension is not considered to result in any adverse overbearing or overshadowing impact to No. 19. It is noted that there are ground and first floor side windows present within the side elevation of No. 19's rear extension, however given the modest projection of the proposed rear extension, along with the generous separation distance, it is not considered that the proposal will result in detrimental overbearing or overshadowing impact that would warrant a refusal and is therefore acceptable.

Impact on 16 King Street

It is also noted that the proposed extensions are set in approx. 2.2m from the side elevation of No. 16 King Street. However, given the sufficient separation distance, along with No. 16 being situated west of the extension, it is anticipated that only minimal overshadowing impact may occur in the early morning. As such it is not considered that the proposed development would result in any significant overbearing or overshadowing impact to warrant a refusal and is therefore acceptable.

The proposed openings within the extension are located to the rear elevation and will overlook the hosts own yard and as such there are no concerns to the loss of privacy.

As a result, it is considered that in terms of residential amenity, the proposed development would have an acceptable impact and comply with all relevant policies.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and 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.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

Although nothing specific is detailed within the submitted plans, it is considered that there is adequate space on site for waste storage.

The number of bedrooms at the property will increase to three as a result of the proposal, which will not impact the number of off-street parking spaces required on the site. Considering this, and that there will be no significant reduction in scale of the current parking area on the application site, the current parking provision is considered acceptable to remain.

It is therefore considered that in terms of access and highway safety/parking the proposed extension 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. Furthermore, it is considered that the proposal would also comply with Principle 19 of the adopted House Extensions & Alterations SPD.

5. 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 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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate

change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Representations

No representations have been 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, the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation
PERMISSION

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2025/92566

Officer Recommendation: Conditional Full Permission

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
Existing Plans and Elevations	869-001	-	16/09/2025
Existing 3D Views	869-002	-	16/09/2025
Proposed Plans and Elevations	869-003J	-	02/12/2025
Proposed 3D Views	896-004F	-	02/12/2025
Application Forms	-	-	16/09/2025
Climate Change Statement	-	-	16/09/2025

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. The case officer sought it necessary to request a reduction in the projection of the extension, and ensure the extension was of a suitable width as to have no significant impacts in the form of overshadowing and overbearing onto neighbouring properties or the shared courtyard area.

Report Dated:

09/12/2025