

**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:	2025/62/92673/W
Site Address:	1130, New Hey Road, Scammonden, Huddersfield, HD3 3FJ
Description:	Erection of single storey link extension and alterations to garage to extend living accommodation (Listed Building)
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.

Emma Thompson

AUTHORISED OFFICER

Date: 14-Jan-2026

Officer Report

Site Description

The application site refers to 1130 New Hey Road, a two storey end of terrace property located in Scammonden, Huddersfield. The property forms part of an early C19 row of terraces and is set off from New Hey Road by way of a path and parking to the front. The property also had a detached garage located to the north east and a rear extension.

The site is located within the Green Belt and the host dwelling is a Grade II Listed Building (the garage is not listed but is likely listed as a curtilage building to the host dwelling).

The Listed description is as follows:

'1826 (datestone). Hammer dressed stone - painted. Pitched stone slate roof. 2 storeys. Hardenby Cottage: south east elevation has: ground floor doorway with timber surround with timber cornice on timber consoles. One 5-light stone mullioned window (2 mullions removed); one 2-light stone mullioned window. First floor; one 8-light stone mullioned window. Datestone reads: T F 1826 North west elevation has: ground floor; brick extension. First floor; two 3-light stone mullioned windows. Cottage to north east: south east elevation has: Ground floor; entrance with stone surround. One 5-light stone mullioned window (centre light blocked). First floor; one 8-light stone mullioned window (part blocked to give three 2-light windows each with mullion removed). North west elevation has: ground floor; one 5-light stone mullioned window (centre light blocked). One 2-light stone mullioned window (mullion removed). First floor; two 2-light stone mullioned window (2 mullions removed). Barn: south elevation: large central doorway with segmental arched head. Stone surround and tie-stones and small square vent over. Small doorway (blocked). North west elevation: two doorways (one later).'

Description of Proposal

Planning permission is sought for the erection of a single storey link extension and alterations to garage to extend living accommodation.

The scheme proposes to link the detached garage to the main property via a single storey link. This will measure 3.15m x 2.3m with a height to the eaves of 2.65 and an overall height of 3.4m with a gable roof. It will have a single entrance door to the front and a bifolding door and full length glazed windows to the rear. It will be constructed from coursed natural stone for the walls and natural stone slate for the roof and the windows/doors will be painted timber. Within the interior, the extension will function as a porch/cloak room.

The garage will be converted into a living/games room and a W/C with three rooflights to the rear and bifolding doors where the garage shutter doors are currently to the rear.

History of Negotiations

Given the property's Listed status, KC Conservation and Design were informally consulted about the proposal. During discussions with KC Conservation and Design concerns were raised about incremental changes to the property including the single storey extension to the rear accumulating and slowly taking away from the heritage of the original barn. However, it was concluded that due to the small scale nature of the proposal and due to it being designed with mating materials and roof form, in this case would be considered acceptable.

Relevant Planning History

86/03808 - Installation of bathroom to 2 cottages. Conversion of barn to dwelling & conversion and extension – Granted Conditionally.

2015/93541 - Listed Building Consent for erection of replacement single storey rear extension – Consent Granted.

Representations

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via a site notice and within the newspaper, collectively expiring on 18th December 2025 – no representations were received.

Consultation Responses

KC Conservation and Design– During discussions with KC Conservation and Design concerns were raised about incremental changes to the property including the single storey extension to the rear accumulating and slowly taking away from the heritage of the original barn. However, it was concluded that due to the small scale nature of the proposal and due to it being designed with mating materials and roof form, in this case would be considered acceptable.

Policy/Legislation

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 host dwelling is a Grade II Listed Building (the garage is not listed but is likely listed as a curtilage building to the host dwelling). The site is within the Green Belt.

The site is within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP35 – Historic Environment
- LP51 – Protection and improvement of local air quality
- LP 57 - The extension, alteration or replacement of existing buildings

Supplementary Planning Documents:

Highways Design Guide SPD (2019)

House Extensions and Alterations SPD

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, together with Circulars, Parliamentary 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 4 – Decision-Making
- Chapter 12 – Achieving Well-Designed Places
- Chapter 13 – Protecting the Green Belt
- Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

Assessment.

The matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

- 1) Principle of Development
- 1) Impact on Visual Amenity (and Historic Environment)
- 2) Impact on Residential Amenity
- 3) Impact on Highway Safety
- 4) Other Matters
- 5) Representations
- 6) Conclusion

1) Principle of Development

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt, the most relevant in this case being to assist in safeguarding the countryside from encroachment. Paragraph 153 of the NPPF states that inappropriate development should not be approved except in very special circumstances. Certain forms of development are exceptions to 'inappropriate development'. These are set out within paragraphs 154 and 155 of the NPPF.

The construction of new buildings is regarded as inappropriate development in the Green Belt. Within paragraph 154, one of the exceptions to this is the extension or alterations of a building providing that this does not result in disproportionate additions over and above the size of the original buildings.

Policy LP57 continues that 'in the case of extensions the original building remains the dominant element both in terms of size and overall appearance. The cumulative effect 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....'. It also goes on to say that the proposal should not result in a greater impact on openness in terms of the treatment of outdoors areas, including hard standing, curtilages and means of access.

In terms of this particular application, the previous extension has been taken into account to assess whether the cumulative impact of the extensions would be disproportionate to the original dwelling. Approved under application number this granted permission for a single storey rear extension with a footprint of 4.75m x 2.4m.

Whilst it is acknowledged that the link extension would increase the volume of the dwelling it is also noted that there is no formal definition of disproportionate additions and each application must be assessed on its own merits. Previous case law has demonstrated that the assessment of disproportionate additions cannot be made purely in a mathematical way by reference to size when measured in floor space, volume or mass, but that appearance and visual impact are an important part of a proper evaluation. In this instance weight is

given to the effect of the proposal on the openness of the Green Belt and on the character and appearance of the area.

The proposed alterations/extension would be minimal in scale and the garage conversion would be only internally. As a result of this scheme the footprint of the building would only marginally increase and would be set within two existing built forms. Due to this it is considered the cumulative impact of the proposed development would not result in disproportionate additions to the original dwelling and would not have a negative impact on the openness of the Green Belt meaning it would comply with policy LP57 of the local plan and would be acceptable when assessed against this Policy and Chapter 13 of the NPPF.

Within the SPD, Key Design Principles 1 and 2 are relevant to the consideration of the principle of the development & visual amenity and are considered within the following report. These policies state the following:

- Principle 1 – that “extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area and the street scene.”
- Principle 2 – that “extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.”

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 considered to be acceptable and shall be assessed against the applicable material planning considerations within the following report.

1) Impact on Visual Amenity (and Historic Environment)

Visual Amenity:

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) whereby paragraph 131 provides a principal consideration concerning design which states: *“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Paragraph 135 of the NPPF is of relevance, in particular the following parts:-
- ‘b) *Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping*’
- ‘c) *Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built*

environment and landscape setting, while not preventing or discouraging appropriate innovation or change'

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

- *'a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...'*

- *'c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...'*

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

Given the position of the proposed extension, it will be assessed as being both a side and front extension, as it would sit to the side of the host dwelling but forward if the principal elevation of the secondary building.

The House Extensions and Alterations SPD sets out that single storey side extensions should:

- not extend more than two thirds 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.

The proposed extension to 1130 New Hey Road complies with all of the design criteria listed above for single storey side extensions.

The proposed extension to 1130 New Hey Road is considered to be a subservient addition to the host dwelling, due to its single storey height and harmonising appearance.

The setting of the extension in relation to the host property promotes subservience, set back from the principal elevation by 3.6 metres. This positioning helps to ensure that the extension remains visually smaller in size/scale to the host property itself and ensures that the host property of 1130 New Hey Road remains the dominant built feature within the curtilage. It should also be noted that extension is also set back from the front elevation of the garage structure, encouraging the subservience of the new extension when viewed from public vantage points along New Hey Road.

The height and roof design of the extension helps to mitigate visual obtrusiveness. The proposed gable structure naturally reduces the potential for undue bulking or massing, which is enhanced further by a relatively low eaves

height. Furthermore, the pitch of the gable has been designed in respect of existing architectural features on site, aligning with the height of the existing single storey rear extension.

The external walls of the extension are to be faced in matching coursed local sandstone and the gable roof above is to be constructed from natural stone slate. These materials are in keeping with the appearance of both the host property and the neighbouring properties which surround the site.

The proposed windows and access door to the extension have been designed in keeping with the existing forms of fenestration to the host dwelling, including the framing of these features in painted timber.

For all of the reasons outlined above, it is considered that the proposal would not cause detrimental harm to the visual amenities of the locality. The proposed development is therefore considered to comply with Chapter 12 of the NPPF, Policy LP24 of the Kirklees Local Plan and Key Design Principles 1 and 2 of the House Extensions and Alterations.

Historic Environment:

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that, for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Policy LP35 of the Kirklees Local Plan states that: *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”*

At paragraphs 212-215 the NPPF is clear, that where development leads to substantial harm, this is necessary to achieve substantial public benefits that outweigh that harm or, in the case of less than substantial harm this should be weight against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

1130 New Hey Road is Listed at Grade II and forms part of a row of Cottages, constructed in the 19th Century.

KC Conservation and Design have been informally consulted as part of the assessment of this scheme, concluding the application to be satisfactory from a heritage perspective.

The principal of development itself is supported in the context of the site and, although the proposals will have some degree of impact on the Listed Building being in a prominent location and forming part of the streetscene, it is considered that the extension is satisfactory.

During discussions with KC Conservation and Design concerns were raised about incremental changes to the property including the single storey extension to the rear accumulating and slowly taking away from the heritage of the original barn. However, it was concluded that due to the small scale nature of the proposal and due to it being designed with mating materials and roof form, in this case would be considered acceptable.

Subject to approval, a condition will be included, relating to materials. This condition is imposed in the interests of retaining the heritage significance of New Hey Road.

In turn, with the inclusion of this condition, it is concluded that the scheme proposed at 1130 New Hey Road appropriately complies with the relevant national and local policies regarding protection and enhancement of the local built character.

The proposal is, on balance, not considered to cause harm to the Listed Building and is therefore concluded to be acceptable in this regard, in accordance with the aforementioned policies and legislation.

2) Impact on Residential Amenity

Section 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 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 accordance with Key Design Principle 7 of the SPD, the proposal would see the retention of an appropriate extent of outdoor amenity space at 1130 New Hey Road.

It is considered that the property most likely to be affected by the proposed development is No. 1132 New Hey Road. It is considered that the proposed works would be a sufficient distance away from any other properties to prevent undue harm to residential amenity in terms of loss of light, loss of privacy or overlooking, or the creation of an overbearing affect.

No. 1132 New Hey Road – this property adjoins the application site to the south west.

Given the location of this property in relation to the proposed location of the single storey side extension to 1130 New Hey Road, it can be concluded that no undue impacts of overbearing or overshadowing will be caused for the occupiers of No. 1132 and that no increased potential of overlooking will be created. This is a result of the proposed built form been set behind the existing footprint and height of the host property of No. 1130.

Whilst reducing available amenity space for use by the applicant, the proposal is considered to ensure that an appropriate level of amenity space is retained as part of the proposal.

For these reasons, the proposed development is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Chapter 12 of the NPPF, LP24 of the Kirklees Local Plan, Key Design Principles 3, 4, 5, 6 and 7 of the Council's House Extensions SPD.

3) 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 and Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The proposed extension will function as a cloak/porch and games/living room and proposes no additional bedrooms. Therefore, the proposal would not result in increased domestic occupation of the property.

The extension would reduce parking in the garage and to the side of the property, however this area is not currently used for parking and instead parking is to the front of the property which would not be affected. It would not affect routes of access to and from the property in conjunction with the adjoining highway.

In turn, erecting the proposed extension at 1130 New Hey Road would appropriately accord with policies within Chapter 9 of the NPPF, policies LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extension SPD.

4) 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. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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 small-scale 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. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

Bats:

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The application site lies within the bat alert layer on the Council's GIS system. The proposal would not see works or alterations to the existing roofing forms at 1130 New Hey Road. Even so, as a cautionary measure, in the event of any grant of permission a note would be added to the decision notice, stating that if bats are found development shall cease and the advice of a licensed bat worker sought. This is to accord with the aims of Chapter 15 of the NPPF.

5) Representations

No representations were received.

6) 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: 2025/92673

Officer Recommendation: Approve

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.

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP31, LP51 & LP57 of the Kirklees Local Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8 & 15 of the Council's adopted House Extensions and Alterations SPD and Policies within Chapters 2, 4, 12, 13, 14 and 15 of the National Planning Policy Framework.

2. The external walls of the extension shall be constructed in matching materials to that of the host dwelling and the roof of the extension shall be infilled with matching tiles. These materials shall be thereafter retained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations SPD and policies within 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.

Plans and Specifications Schedule:-

Plan Type	Reference	Version	Date Received
Existing and proposed plans and elevations	-	-	04/11/2025
Conservation/Heritage statement	-	-	04/11/2025
Climate change statement	-	-	04/11/2025
Application form	-	-	04/11/2025

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 preapplication 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: 2nd January 2026

