

**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:	2025/62/92697/E
Site Address:	17, Heights Lane, Heckmondwike, WF16 0DQ
Description:	Erection of extensions and alterations to existing dwelling and erection of extension and formation of dwelling to lower ground floor forming annex accommodation associated with 17, Heights Lane, Heckmondwike, WF16 0DQ
Recommending Officer:	Jennifer Booth

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: 21-Nov-25

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OFFICER REPORT

Site Description

17 Heights Lane is a detached property with a flat roof form. The property has accommodation across two floors with a large drive and garden to the front. There is a small, enclosed space at the rear.

The property is located on a small, private lane with a mix of house types.

Description of Proposal

The applicant has been granted permission for the erection of extensions and alterations to existing dwelling and erection of extension and formation of dwelling to lower ground floor forming annex accommodation associated with 17, Heights Lane

The flat roof over the dwelling would be replaced with a steeply pitched roof including two small dormers in the front roof plane.

The ground floor accommodation would be arranged to form a two bedroom annex with the first floor and new roof space forming the main living spaces for the dwelling.

The walls would be built up with brick and the roof form would be tiled.

The current proposal amends the design to include a slightly deeper excavation at the front on the lower ground floor and a platform path across part of the front the front with a projection of 1m and a height of 1m with a 1m balustrade. A single storey rear extension is also proposed with a projection of 2.3m and a width of 5.4m with a perpendicular pitched roof form.

Relevant Planning History

2024/92786 – erection of extensions to form annex - approved

Representations

The application was advertised by site notice, which expired on 10/11/2025

As a result of the above publicity, no representations have been received.

Consultation Responses

None

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 Proposals Map

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
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design

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 places

- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

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 & 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.

Planning permission was granted last year after a full assessment for the erection of extensions and alterations to the existing dwelling and erection of extension and formation of dwelling to lower ground floor forming annex. The current proposals seeks to alter the proposals by including a slightly deeper excavation at the front on the lower ground floor and a platform path across part of the front the front with a projection of 1m and a height of 1m with a 1m balustrade with a single storey rear extension is also proposed with a projection of 2.3m and a width of 5.4m with a perpendicular pitched roof form. The new elements has been addressed below.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state 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. Furthermore, Key Design Principle 2 of the House Extensions & Alterations SPD goes onto state 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 details.

Planning permission was previously granted following a full assessment for extensions and alterations to the existing dwelling, including the erection of an extension and formation of a lower ground floor annex. The current proposal seeks minor amendments, comprising a slightly deeper excavation at the front of the lower ground floor and the addition of a platform path projecting 1m from the front elevation, with a height of 1m and a 1m balustrade. A single-storey rear extension is also proposed, projecting 2.3m with a width of 5.4m and a perpendicular pitched roof. The deeper excavation at the front is not considered significant, and the platform path represents a low-level feature with minimal impact on the overall appearance of the dwelling. Similarly, the

rear extension is modest in scale and proportionate to the property, ensuring the visual character of the dwelling and surrounding area is maintained.

Having taken the above into account, the proposals 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, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

There are no properties to the front which could be affected by the works proposed.

Impact on 15 Heights Lane

The deeper excavation to the front along with the platform would be limited in terms of scale and as such would have no impact on the adjacent dwelling to the north east.

The single storey rear extension is of a limited scale and set back from the neighbouring property. As such, there would be no overshadowing or overbearing. The extension would house a utility room which is not considered to be a habitable space, as such, there would be no loss of privacy.

With regards to the impact on the adjacent 15 Heights Lane, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Impact on 19 Heights Lane

The deeper excavation to the front along with the platform would be limited in terms of scale and as such would have no impact on the adjacent dwelling to the south west, which occupies a position closer to the lane.

The single storey rear extension is of a limited scale and does not directly align with the neighbouring property given the stepped building line. As such, there would be no overshadowing or overbearing. The extension would house a utility room which is not considered to be a habitable space, as such, there would be no loss of privacy.

In the event that planning permission be approved, it is recommended that a condition be attached that the proposed annex be tied to the existing dwelling as any independent dwelling would require a further assessment in respect of the provision and impact on amenity space.

With regards to the impact on the adjacent 19 Heights Lane, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Impact on 9 Lascelles Road

The neighbouring property located to the rear of the host dwelling occupies a notably elevated position, resulting in a clear topographical distinction between the two sites. The rear elevation of the host property, as extended, would align with the driveway and blank side elevation of the neighbouring dwelling, rather than with any primary elevation or private amenity space. This spatial and physical relationship significantly limits the potential for the proposed development to result in any adverse impacts in terms of residential amenity with respect to overbearing, overshadowing or overlooking.

With regards to the impact on the neighbouring 9 Lascelles Road, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions & Alterations SPD and Chapter 12 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will not result in any intensification of the domestic use over and above that already approved subject to a condition that the proposed annex is tied to the existing dwelling as any independent dwelling would require private parking provision which is not provided under this application. As such the scheme 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 & Alterations SPD.

Other matters:

Carbon Budget

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

There are no other matters for consideration.

Representations:

None

Negotiations:

None

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 to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

It is considered to be appropriate to condition the occupancy of the annex to be restricted to the owners of the main house to ensure that amenity for the occupiers and highway safety is preserved.

Conclusion:

This application for the erection of extensions and alterations to existing dwelling and erection of extension and formation of dwelling to lower ground floor forming annex accommodation associated with 17, Heights Lane has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations. Given

the acceptable design and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable.

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.

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

Approve

Decision Authorisation - Delegated Powers

Application Number: 2025/92694

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.

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

3. 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 to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

4. The residential annex accommodation hereby approved shall be used solely for purposes ancillary or incidental to the enjoyment of the existing dwellinghouse known as '17 Heights Lane, Heckmondwike, WF16 0DQ' and shall at no time be sold, rented, or severed to be occupied as a separate independent dwelling unit.

Reason: To protect residential amenity and highway safety in accordance with Policies LP21, LP22 and LP24 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

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	Reference	Web ID	Date Received
Location plan	-	1107379	26/09/2025
Existing plans	24/61/F	1107378	26/09/2025
Proposed site plan	24/61	1107377	26/09/2025
Proposed floor plans	24/61/F(i)	1107374	26/09/2025
Proposed elevations	24/61/F(ii)	1107376	26/09/2025
Proposed sections	24/61/(ii)	1107375	26/09/2025
Climate change statement	-	1107384	26/09/2025
CMRA	-	1107382	26/09/2025

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 Planning 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.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated 18/11/2025

