

**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:	<b>2025/62/92829/W</b>
Site Address:	58, Dalton Green Lane, Dalton, Huddersfield, HD5 9UH
Description:	Removal of existing garage and erection of two storey side and single storey rear extensions, widening of vehicular access, extended dropped kerb and associated alterations
Recommending Officer:	Joanna Rednall

**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: 11-Dec-2025**

## **The Site**

58, Dalton Green Lane relates to a two-storey semi-detached dwelling located in Dalton, Huddersfield. The property is finished in stone and pebbledash render with a hipped roof incorporated above finished in tiles. The site occupies a corner plot with amenity space to the front, side and rear.

The existing building is pebbledash render to the first floor front, side and rear elevations. The site is at a prominent junction with Albany Road and Dalton Green Lane, the surrounding locality is a mix of property type, age and design. The host property is at an oblique angle in relation to dwellings to the north, and the side elevation is slightly beyond the building line of the pair of semi detached dwellings to the immediate north.

## **The Proposal**

The applicant is seeking planning permission for removal of existing garage and erection of two storey side and single storey rear extensions, widening of vehicular access, extended dropped kerb and associated alterations.

The existing roof above the dwellinghouse would be re-surfaced in plain grey interlocking roof tiles.

### **Two storey side extension**

The measurements of the two-storey side extension are as follows:

- 4m width
- 8m depth
- 5.4m eave height
- 8.3m ridge height

The extension is finished in stone and render with a hipped roof covered in plain grey concrete interlocking roof tiles. The submitted plans state the existing solar panels will be reinstated back onto the side/northwest facing roof.

To the ground floor a kitchen and dining room is proposed and two bedrooms and one en-suite are proposed to the first floor of the extension.

To the ground floor, one window is proposed to the front and rear elevations along with two windows to the side, at first floor one window is proposed to

the front and one proposed to the rear along with one small window proposed to the side elevation.

### Single storey rear extension

The measurements of the single storey rear extension are as follows:

- 6m width
- 3m depth
- 2.5m eave height
- 3.8m ridge height

This extension is also finished in render and serves a family room.

Patio doors and one window are proposed to the rear elevation of the extension.

The existing wall to the side would be partially demolished to provide a larger parking area to the side. The garage would be demolished, and this area of hardstanding would be retained.

The submitted plans indicate that areas to the front, side and rear would be a render finish. This would be to the parts of the building (first floor front, side and rear).

The submitted plans indicate removal of existing garage and retention of its base and the widening of the access to the site to provide 3.no usable parking spaces within the site. The existing surfacing within the site is indicated to be utilised to accommodate the 3.no spaces.

### History of Negotiations

After consulting with KC Highways Development Management, officers requested a proposed site plan to confirm that the scheme can accommodate 3 off-street, in-curtilage parking spaces. Amended plans were received on 1<sup>st</sup> December 2025 which were considered to address the concerns raised by Highways.

### Planning History

There is no planning history for the site which is considered relevant to the current proposal.

### Publicity & 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: 6<sup>th</sup> November 2025.

No representations were received as a result of the publicity.

### **Parish/ Town Council Comments**

N/A.

### **Consultations**

KC Highways Development Management: The proposal would need parking spaces for 3 vehicles and recommend the inclusion of a section 184 agreement footnote for the widening of vehicular access.

### **Allocation & Policies**

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 27<sup>th</sup> February 2019).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019). The site is unallocated although does fall in an area with a known presence of bats, as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

#### **Kirklees Local Plan (LP)**

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity

#### **National Policies and Guidance**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12<sup>th</sup> December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> 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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 – Conserving and enhancing the historic environment

### Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

### Legislation

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

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
2. Impact upon visual amenity
3. Impact upon residential amenity
4. Impact upon highway safety
5. Other matters
6. Representations
7. Conclusion

#### **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 development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

## **2 – Impact upon 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.

Paragraphs 5.19 – 5.23 of the House Extensions and Alterations SPD are relevant. 5.19 sets out that two-storey side extensions can have a significant effect on the character of the original house and the street. Adequate space between buildings should be retained to provide a sense of space which is important to the character of an area. It goes on, at paragraph 5.20, to state that two-storey side extensions should:

- not take up all or most of the space to the side of a house
- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and
- be set back at least 500mm from the front wall of the house.

Paragraph 5.21 provides advice about distance between dwellings, which the proposal would comply with.

Paragraph 5.22 sets out that two storey side extensions should be visually smaller, set back 500mm with a vertical break to the roof plane, roof design to match the existing and be 1m from the boundary.

Paragraph 5.23 relates to two storey side extensions at corner plots. Stating the following:

*On corner plots, side extensions should be considered as being both side and front extensions and as such will relate to both street frontages. Therefore, both elevations should be designed as street frontages. On corner plots, side extensions should contribute to the local character by:*

- *Facing in both directions to create two frontages, each with windows overlooking the street;*
- *Being set back from the existing building line on both streets; and*
- *Following the boundary treatment along both streets, in relation to its position, height and materials.*

In this case, the proposed extension would broadly comply with the design guidance set out in the SPD. The extension would not occupy the full width of the plot and would retain an adequate separation of approximately 3 metres between its side elevation and the pavement. This helps to ensure the development does not appear unduly prominent or overbearing within the street scene. The application property also sits at an oblique angle with no clearly defined building line, meaning the extension would not disrupt any established street pattern or appear incongruous. Overall, the proposal is considered to have an acceptable impact on the street scene, in accordance with the aims of KDP1 of the SPD.

In relation to the character of the original dwelling, the two-storey extension would read as a proportionate addition. Its limited width, the set-back position from the main front elevation, and the reduced ridge height all contribute to a design that remains clearly subservient to the host property.

The proposed materials consisting of stone and render walls with a grey concrete tile roof would match those of the existing dwelling. As part of the application, the existing roof would also be re-covered in grey concrete tiles to ensure consistency with the roofing materials of the proposed extension. While these materials would not replicate those of the adjoining property, the roof form would remain unchanged, and similar examples exist within the surrounding area. As such, this aspect of the proposal is not considered to result in any significant visual harm.

For these reasons, the proposed two storey extension is considered to have an acceptable visual impact.

#### Single storey rear extension

Paragraph 5.6 of the House Extensions and Alterations SPD sets out that single storey extensions to rear 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; and
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The proposal would generally comply with the Key Design Principles outlined above. Its modest scale, combined with the use of matching materials, ensures that the extension remains in keeping with the character and proportions of the original dwelling. The extension does not exceed 4 metres in height or project more than 3 metres to the rear, which helps maintain a clearly subservient relationship to the host property.

Although the extension would run adjacent to the neighbouring boundary, it is not considered to result in any significant harm to residential amenity (as discussed below). Consequently, there is no visual or amenity-based justification for requiring the inseting of the extension by a full metre from the boundary. This conclusion is formed having regard to the fact this relates to the boundary the existing properties adjoin one another.

When viewed alongside the approved two-storey extension, sufficient rear amenity space and the full frontage of the lawned garden would be retained. This ensures that the scheme would not constitute overdevelopment of the plot. For these reasons, the single storey rear extension is considered to have an acceptable visual impact.

#### Widening of vehicular access, extended dropped kerb and associated alterations

Part of the existing garden wall along Dalton Green Lane would be removed to allow the parking area to be extended, with the dropped kerb enlarged accordingly. These alterations are considered to have only a minimal visual impact and would remain in keeping with the character of the surrounding area.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within 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.

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.”*

In terms of overshadowing and overbearing impacts, the proposal would introduce some additional massing along the shared boundary with the adjoining property at 1 Albany Road. It is noted that there is a live application at this neighbouring site for a single-storey rear extension (ref: 2025/92819), which has been shown on the plans submitted with this application. The proposed extension would sit alongside the proposed extension at 1 Albany Road.

The application site also retains its full permitted development rights, meaning a similar scheme could likely be constructed as a fallback position. Taking this into account, along with the proposal's modest 3-metre projection and lean-to roof design, any additional overshadowing or overbearing effects would be limited. As such, the development is not considered to result in significant harm to the living conditions of the occupants of 1 Albany Road.

In terms of any overlooking/ impacts on privacy, the proposal would result in additional openings to the side and rear. The two storey extension would result in new habitable windows closer to the side boundary, however these are separated by the road and a distance of over 21m to No's 135 and 139 Dalton Green Lane. The rear extension would also result in additional openings facing 60 Dalton Green Lane, however these would be largely screened by existing boundary treatment and face two small first floor openings within the side elevation of No.60, which appear to serve a hallway and bathroom. For these reasons the proposal is not considered to result in undue harm to the residential amenity of occupants of any neighbours.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

#### **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 increase the total number of bedrooms on site, taking the total number of bedrooms from 3 to 4. KC Highways were consulted on the scheme and requested a proposed site plan showing whether the proposal could accommodate 3 off-street parking spaces, in accordance with the requirements of KDP 15 of the SPD. Amended plans were submitted showing the required information which were considered acceptable from a highways safety perspective.

The proposed development widens existing access to provide additional parking provision. Widening the access would be of an improvement in terms of access, manoeuvring and sight lines. The KC Highways officer consulted for this application concluded that the works would be acceptable from a highway's perspective and any impact upon highway safety would not be detrimental to the existing highway in this case.

Notwithstanding the above, KC Highways recommend for an informative to be attached to the decision notice to include advice should a Section 184 agreement be required and is essential from a highway safety perspective. This is in line with Policies LP21, LP22 and LP24 of the Kirklees Local Plan, design principles of the SPD and the Council's Highways Design Guide. It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed 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.

#### **5 – Other matters:**

##### *Ecology*

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. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

### *Climate Change*

On 12<sup>th</sup> 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.

Considering the modest nature 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. A Climate Change statement has been submitted with this application.

### **6 – Representations:**

None 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 that the development would constitute sustainable development and is therefore recommended for approval.

**Recommendation**

**APPROVE**

**Decision Authorisation - Delegated Powers**

**Application Number:**

**Officer Recommendation:**

**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).

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 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.

3. The materials of construction of the ground floor front (south west) elevation wall shall be local coursed stone to match the existing dwelling in the location indicated upon submitted drawing 2025/052/03revA. All areas annotated to be render to the first floor front (south west), side (north west) and rear (north east) wall elevations upon submitted drawing 2025/052/03revA shall be of a stone or cream colour finish. The materials of construction of the roofs of the development hereby approved shall be of a dark grey colour finish.

**Reason:** To ensure the development has an acceptable visual impact to accord with policy LP24 of the Kirklees Local Plan, principles 1 and 2 of the 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 regulations of the Conservation of Habitats and Species Regulations 2017. 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 changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	LP 01	-	10/10/2025
Block Plan (As Existing)	BP 01	-	10/10/2025
Block Plan (As Proposed)	BP 02	-	10/10/2025
Planning Drawing	2025/052/03	A	01/12/2025
Climate Change Statement	-	-	10/10/2025
Application form	-	-	10/10/2025

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. After consulting with KC Highways Development Management, officers requested a proposed site plan to confirm that the scheme can accommodate 3 off-street, in-curtilage parking spaces. Amended plans were received on 1<sup>st</sup> December 2025 which were considered to address the concerns raised by Highways.

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