

**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:	2025/62/92833/E
Site Address:	3, Sunnybank Woods, Upper Batley, Batley, WF17 0NH
Description:	Erection of single storey front porch with associated external works
Recommending Officer:	Laura Yeadon

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: 26-Jan-2026

HOUSEHOLDER DELEGATED REPORT

Application Number	2025/92833
Location	3, Sunnybank Woods, Upper Batley, Batley, WF17 0NH
Proposal	Erection of single storey front porch with associated external works
Publicity end date	14 November 2025
Number of representations received	None – the application was not advertised as affecting the setting of a Conservation due to the works being minor. The amended plans were not re-advertised due to their reduced impact on visual and residential amenity
Kirklees Local Plan Allocation/Designation	Unallocated. Upper Batley Conservation Area, Low Coal Risk Area, TPO's within application site boundary
Extension to Time (EoT)	Yes EoT Date: 26th January 2026
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) December 2024
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed and beautiful places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- NPPF Chapter 15 – Conserving and enhancing the natural environment
- NPPF Chapter 16 – Conserving and enhancing the historic environment

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP30** – Biodiversity and geodiversity
- **LP 33** – Trees
- **LP 35** – Historic Environment
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	SUMMARY
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Negotiations/Amendments during course of application	Yes	The Agent amended the plans to remove the demolition of the existing conservatory and the erection of a single storey side extension. Therefore, the works to enlarge the porch remain alongside the rear wall of the conservatory being walled up
Parish/Town Council comments sought (Kirkburton)	N/A	N/A
Planning History		<p>1995/93419 – Outline application for erection of 2 no dwellings – Conditional Outline Permission</p> <p>1997/92289 – Erection of 4 no. detached four bedroom dwellings with integral garages – Conditional Full Permission</p> <p>1998/91834 – Erection of 2 detached dwellings with garages (modified proposals) – Conditional Full Permission</p> <p>2015/94056 – Works to tree(s) within a Conservation Area – part granted/part refused</p> <p>2023/92453 – Work to TPO within a Conservation Area – part granted/part refused</p>
Consultations required	None	N/A

Assessment

The application seeks permission for the erection of single storey front porch with associated external works.

Extension to porch

It is proposed that the existing porch would be extended forward. The proposed front elevation would project forward of the front elevation of the living room by 0.9 metres which would be set back from the front elevation of the integral garage by 0.3 metres. The eaves height would be 2.4 metres with

an overall height of 2.9 metres to the ridge of the lean-to roof. The front and side wall of the porch would be stone with tiles for the roof.

External works

It is proposed that the glazing within the rear elevation of the conservatory would be removed and replaced with stone walling.

Heritage matters

The application site is within the Upper Batley Conservation Area however the property is a relatively modern detached dwelling with no listed buildings within close proximity. The works would be constructed from matching materials and are in keeping with the host dwelling. Amendments to the scheme were submitted by the Agent to remove the demolition of the conservatory and the erection of a single storey side extension from the proposed works which, in turn, reduces the scale of the scheme. Officer's consider that the proposed works would have a neutral impact on the Conservation Area and therefore would not require public benefits to be sought. This would be compatible with Policies LP35 of the Kirklees Local Plan and compatible with the Council's duties under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended).

House Extensions and Alterations SPD

The Kirklees SPD sets out that front extensions should comply with certain parameters set out at paragraph 5.14 on page 27 (and listed below) and if they do not, they need to be justified:

Single storey front extensions permitted where:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
The house is set well back from the pavement or is well screened	Yes – the works would comply with this	
The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area	Yes – the works would comply with this	
The materials and design match the existing features of the original house	Yes – the works would comply with this	

The extension would not unreasonably affect the neighbouring properties	Yes – the works would comply with this	
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Design and Visual Amenity:

The application site is located within a cul-de-sac which is comprised of similarly designed properties. The dwelling is two storeys in height, constructed from stone with an integral garage accessed off a driveway to the front, conservatory to the side and a garden area to the rear.

Access to the property is off an unadopted, private road, off Sunny Bank Road.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF 	Small front extension with minimal impact on the local character of the area or on the street scene. Works to the rear elevation of the conservatory would not be visible from public vantages points.	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF 	Works would be subservient to the host dwelling and would have a minimal impact on the visual appearance of the dwelling.	✓
Height, scale and massing	<ul style="list-style-type: none"> • KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP 	Works to the porch extension would be subservient to the host property and single storey in height. The works to the rear wall of the conservatory would not increase the footprint	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 	of the property or increase the structure's size, scale or massing,	
Facing materials and detailing	<ul style="list-style-type: none"> KDP 9 of the SPD Policy LP24 Design (d) (iii) of the KLP Chapter 12 of the NPPF 	Materials would be to match.	✓
Roof style	<ul style="list-style-type: none"> KDP 1 and 2 of the SPD Policy LP24 Design (a), (c) and (d) of the KLP Chapter 12 of the NPPF 	The porch extension would have a lean-to roof which is considered acceptable	✓
Window proportions	<ul style="list-style-type: none"> KDP 1 and 2 of the SPD Policy LP24 Design (a), (c) and (d) of the KLP Chapter 12 of the NPPF 	Similar to the existing	✓
Accessibility for all users	<ul style="list-style-type: none"> KDP 17 of the SPD Policy LP24 Design (f) Chapter 12 of the NPPF 	Private domestic extensions which would not change the existing access into / around the property.	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity: Are the considerations in the following table acceptable?

The main properties affected are:

- 29 Stoney Lane – dwelling beyond rear boundary – works to block the windows within the rear elevation of the conservatory would be screened by the blanket TPO to the rear of the garden area – limited impact
- 3 Sunny Bank Woods – neighbouring dwelling to the south of the application site – limited impact as no side elevation openings within the extended porch – unaffected by the works to the rear wall of the conservatory

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	Small scale development proposed – limited impact on neighbouring properties (see above)	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> • KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	As above	✓
Impact on overbearing or overshadowing	<ul style="list-style-type: none"> • KDP 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF 	As above	✓
Remaining garden space of application property	<ul style="list-style-type: none"> • KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Chapter 12 of the NPPF 	No loss of garden space as a result of the proposed works.	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	<ul style="list-style-type: none"> • KDP 15 of the SPD 	N/A	✓

	<ul style="list-style-type: none"> • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 		
Parking provision	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	No loss of parking provision as a result of the works.	✓
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	No changes as a result of the proposal	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	<ul style="list-style-type: none"> • KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF 	The TPO to the rear of the property would not be impacted on as the works would not encroach any further towards the trees nor would additional foundations be required	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF 	Bat alert layer however the works would not interfere with the main roof of the property. An informative can be attached to the decision notice informing the applicant.	✓

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 to accord with Policies LP01, LP02, LP21, LP22, LP24, LP30, LP33, LP35 and LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12,3, 14, 15, 16 and 17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12,14, 15 and 16 of the National Planning Policy Framework

3. The external walls and roofing materials of the extension and works to the rear wall of the conservatory 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.

NOTE: The Council's GIS system indicates that the property is within a bat roost area and 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 to 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
Location plan	(EX)002		15 th October 2025
Existing and proposed block plan	(20)002 – Rev: A		31 st October 2025
Existing elevations and floor plans	(EX)001		10 th October 2025
Proposed elevations and floor plans	(20)001 – Rev: A		31 st October 2025

Plan Type	Reference	Version	Date Received
Climate Change Statement	Appendix A		10 th October 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 2015 and otherwise actively engaged with the applicant in dealing with the application. The Agent submitted amended plans as part of the application process. It was not considered that further amendments were required.

Report Dated: 26th January 2026