

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:	2025/62/92897/W
Site Address:	49, Bank End Lane, Almondbury, Huddersfield, HD5 8ES
Description:	Erection of two storey rear and side extensions, single storey front extension, rear balcony and alterations to driveway and access
Recommending Officer:	John Holmes

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 20-Feb-2026

THE SITE

The site relates to a detached dwelling within a large plot of land. The site is within a street scene with a mix of house type with the host property forming an individual designed dwelling within a street scene of multiple individually designed dwellings. Some level of uniformity is in the street scene through the design of semi detached dwellings. There is no predominant roof style in the street other than pitched roof, of either hip or gable design.

Historic maps demonstrate the dwelling and dwellings in the wider street appear to have been constructed between 1922 and 1955 although upon the 1955 OS map it is clear not all dwellings on the street had been constructed.

The host property is a mock Tudor design constructed from stone and render.

THE PROPOSAL

The application is seeking planning permission for:-

Erection of two storey rear and side extensions, single storey front extension, rear balcony and alterations to driveway and access.

The scheme as initially proposed has been amended, reducing the extent of the development proposal and amending the roof design removing a flat roof design from the two storey element of the scheme.

The scheme would see a part two storey and part single storey extension to the side and rear, with the following dimensions:

Single storey front extension

This would have a 1.5m projection and 4.3m span across the front, of a parapet flat roof design. Walling materials to match the host property.

Two storey side extension

This would be a 3m projection from side, 5.1m to eaves with a hipped roof design typing into the side of the existing roof (ridge height 8.5m). This would be set back 0.6m from the front elevation and have a depth of 6.3m.

Part two storey / single storey rear extension

This would be 8.9m spanning across the rear of the dwelling with a 4m projection. The single storey element would have a parapet flat roof 3.2m in height and would be between 4m and 8m in terms of its projection from the rear of the host property. The height to the eaves of the two storey element would be 5.2m and height to the ridge being 7.5m.

Alterations to driveway and access

This would see additional hardstanding and widening of the access by removal of the front boundary wall and some of the soft landscaping to the front amenity space to provide parking for 4.no vehicles. The space from the front of the porch to the rearmost part of the pavement is shown on plan A(90)-02 to be 5.6m (for the majority of the space to the front of the porch).

Hardstanding / surfacing would be provided around the plot including associated dwarf retaining walls to front / rear amenity spaces to provide a patio and access around the proposed development.

NEGOTIATIONS/AMENDMENTS

The scheme has been amended during the processing of the application, reducing the scale of the proposal and its footprint, in particular to the south eastern corner of the proposal. The roofscape of the two storey elements has been amended to hipped roofs tying into the host properties roof. The amended scheme, being a reduction in the footprint, is not considered to have significantly altered the scheme to the extent further publicity was required and the scheme as advertised adequately alerted the public to the nature of the development. Further publicity was not, therefore, undertaken in this case.

PLANNING HISTORY

Relevant planning history for this site is summarised as follows:-

2025/92310 - Single storey rear extension. The extension projects 8 metres beyond the rear wall of the original dwellinghouse The maximum height of the extension is 4 metres The height of the eaves of the extension is 4 metres – Prior Approval Not Required

This is an extant permission which could realistically be undertaken in any event.

PUBLICITY & REPRESENTATIONS

The application has been publicised in accordance with Councils adopted Development Management Charter which incorporates the legislative publicity requirements of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

As such, this application has been publicised via site notice put in place 31st October 2025.

Three letters of objection have been received, raising the following summarised concerns:

- Work has started in relation to the original permission for a rear extension

- Little regard during the construction phase in relation to noise / disturbance
- Construction phase needs to be appropriately controlled
- Construction vehicles have parked on street and affected access / highway safety
- Parking provision to front as proposed is inadequate
- The vehicles would park on the pavement in part as front amenity space is not large enough to provide the spaces
- Inadequate off street parking provision for a property of this size
- No knowledge of previous application for prior approval for larger homes extension
- Scheme seems excessive for scale of the existing dwelling
- Balcony would lead to overlooking
- Impact upon light to dining room of no.47
- The proposal would lead to loss of privacy and light
- The proposal would be overbearing
- The development is out of character with the locality and not subservient design
- Scale, layout and appearance not in keeping when considering the footprint of the dwelling.

ALLOCATION & POLICIES

The site is unallocated in the adopted Kirklees Local Plan.

The site does fall within a bat alert area and an area identified as being at low risk of ground movement as a result of former mining activity. The site is in an area with a known presence of radon.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan

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

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 2023, 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. 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 & beautiful places
- Chapter 14 – Meeting the challenge of climate change
- Chapter 16 – Conserving and enhancing the historic environment

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)
Kirklees Highway Design Guide (November 2019)

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

The Conservation of Habitats and Species Regulations 2017

ASSESSMENT

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 extending the existing dwelling and associated works and alterations within the wider site is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact on character and appearance of the area

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.

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.

paragraph 5.8 of the House Extensions and Alterations SPD sets out that generally two storey rear extensions should meet the following:-

- be proportionate to the size of the original house and garden; not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);
- not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;

- not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;
- be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and
- not adversely affect habitable room windows where they adjoin a neighbour's boundary.

Paragraph 5.9 details that larger extensions may be acceptable in certain circumstances if this can be justified, such as where neighbouring houses have already been extended, paragraph 5.10 sets out that where two storey extensions introduce additional bedrooms overall parking requirements will need to be considered.

Paragraph 5.13 relates to front extensions and details that as front extensions are highly prominent in the street scene and can erode the character of the area if they are not carefully designed, large extensions (single and two-storey) and conservatories on the front of an existing house will not normally be acceptable and are considered likely to appear particularly intrusive.

The single storey element to the rear is largely the same as that permitted by application 2025/92310. The two storey extension to the rear meets the recommendations within the SPD in terms of its dimensiona. Similarly, the two storey side extension would be in compliance with the recommendations of the SPD.

The front extension, whilst having a large span across the front, would be set well back and can also be concluded to meet the aforementioned recommendations of the SPD.

The overall quantum of development has been reduced from that as initially proposed, and the roofscape amended to be of an in keeping design for the first floor elements.

The building would have a large increase in size and footprint, however when viewed from public vantage points to the front this would read as visually harmonious and subservient given the set back of the two storey side element and the layout of openings being in-keeping with the proportions of those of the host property.

The proposed works to the front including the porch and creation of the parking area would have some level of further urbanising of the site over and above that of the existing site in terms of reducing soft landscaping. Cognisance is given to the fact that resurfacing of the frontage could be undertaken through utilisation of Permitted Development Rights in any event. The proposal would retain an element of soft landscaping which is considered to have a visually beneficial impact within the street.

The extension to the rear at the single storey level is not in keeping with the scale of the host property. However, this can be undertaken in any event given the planning history of the site which is considered to be a suitable

justification in this case. Refusal on such a basis is not considered reasonable nor justified to substantiate given the realistic fall back to complete the extant permission and then apply for a first floor extension above. In light of this it is concluded this non-conformance with the recommendations of the SPD is justifiable in this case.

It is considered the overall scale, amount and design of the development is acceptable in this case and would not have a significant impact on visual amenity subject to condition that the walls and pitched roofs are constructed from matching materials.

The wider alterations would complement the development, providing proportionate hard standing and surfacing to serve the host property.

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.

Overlooking

The proposal would see one ground floor opening to the side elevation facing no.47 Bank End Lane. This would be screened by existing boundary treatments, and given its distance and orientation from no.47, is not considered to lead to an unacceptable level of overlooking.

All other openings to the front and rear elevation are in excess of 21m from the front / rear elevations of properties opposite. As such the distances between these dwellings is considered sufficient to ensure no significant level of overlooking occurs to these dwellings.

No openings are proposed to the other side elevation facing no.51. Therefore, no unacceptable level of overlooking would arise from this elevation.

It is considered the use of the flat roof elements of the proposal could give rise to overlooking and a condition is therefore recommended to ensure these are roofs only and not used as a balcony or terrace.

Subject to condition, the proposal is considered acceptable with regard to overlooking.

Overshadowing

The properties most impacted in this regard would be no.51 and no.49. It is noted that no.51 is positioned at a higher land level,

It is noted a number of windows are present on the side elevations of no.51 and no.49, although the predominant orientation of these is from the openings to the front and rear which do not have a direct outlook over the side elevation of the host property.

The extent of the projection at ground floor level would be visible from no.51, as would the two storey rear extension. Weight is afforded to the orientation between these properties, sited at an oblique angle in relation to one another, and the land level changes. As such it is concluded that taking into account the distance between these dwellings, the overall impact as a result of overshadowing to no.51 would not be to such an extent to justify refusal in this case.

The side elevation (ground floor level) of no.47 features a window. This would be directly opposite the two storey side extension. Notwithstanding this point, given the predominant orientation of no.47 is served by openings to the front and rear, the impact of the existing building and distances which would remain, it is concluded that refusal on grounds of impact to this side openings serving no.47 could not be substantiated in this case and on balance the proposal is acceptable.

It is concluded that the impact of the development in relation to overshadowing would be acceptable, this is having regard to the fact the proposal would not cut a 45 degree line when taken from the centre of the eill of the front / rear openings to no.47 and no.51.

Overbearing / Oppressive impact

The proposal is designed and has been reduced in scale in terms of proximity to no.47 such that it would not lead to a significant level of massing that would detrimentally impact upon the outlook from the front / rear openings of nos.47 and 51. It is therefore concluded the proposal would be acceptable in this regard.

In conclusion, it is considered that in terms of residential amenity, the proposed development 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.

It is clear from the site visit that it is possible for 3 vehicles to park within the frontage of the property in a tandem arrangement. This is a suitable parking standard for a dwelling which accommodates 4+ bedrooms whereby the parking standard is 3 spaces.

The submitted plans demonstrate alterations to the access, creating 4 spaces. The Council's Highways Design Guide specifies a distance of 5.6m be achieved from the back of the highway for a usable driveway. This distance would be achieved by the proposed development for the majority of the driveway.

Notwithstanding this, it is clear that a tandem parking arrangement is also possible with cars parked horizontally across the frontage such that the area to the frontage is able to be utilised for the parking of 3 vehicles.

The proposal would accommodate waste storage within the curtilage, with potential for bins to be stored to the rear amenity space should occupiers so choose.

The proposal is not considered to lead to an increase in on street parking demand whereby refusal on such a basis could be justifiable by the Local Planning Authority (LPA). There is sufficient accommodation in the front amenity space for 3 vehicles and bin storage and the proposal is therefore concluded to be acceptable in terms of impact upon access and highway safety.

Given the extent of surfacing proposed it is recommended that a condition be attached which ensures the surfacing is satisfactorily drained in relation to surface water through either use of porous materials or directing surface water to a porous part of the site.

In conclusion, it is 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

Paragraphs 174, 180, 181 and 182 of 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 it is considered that in this case it is a proportionate approach of the LPA to include an informative note drawing the applicants' attention to the protection bats are afforded in law and what steps must be undertaken should a bat be encountered during the developments' construction phase.

Subject to informative the proposal is concluded to be acceptable in this regard.

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 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. The extension would be constructed from stone (and a condition upon any permission would ensure this is the case). This is a sustainable, recyclable material which would locally sourced. This is considered to be acceptable in terms of mitigation against climate change.

Land Stability

Policy LP53 of the Kirklees Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an informative note can be appended to the decision notice which constitutes the deemed consultation response.

6 – Representations:

The representations received are listed (in summary form) below and addressed in italics as follows:

- Work has started in relation to the original permission for a rear extension

It is considered that lawful commencement of development for works which are permitted development can be undertaken at any time.

- Little regard during the construction phase in relation to noise / disturbance
- Construction phase needs to be appropriately controlled
- Construction vehicles have parked on street and affected access / highway safety

Given the scale of the development, it is not considered that it would be a proportionate approach of the LPA to insist upon hours of construction or require a scheme of noise / dust suppression measures to be submitted to the LPA for written approval in this case.

- Parking provision to front as proposed is inadequate
- The vehicles would park on the pavement in part as front amenity space is not large enough to provide the spaces
- Inadequate off street parking provision for a property of this size

The impact of the proposal in relation to access and highway safety is taken into account in section 4 of the Assessment section of this report.

- No knowledge of previous application for prior approval for larger homes extension

This matter cannot be revisited as part of the consideration of this application and remains an extant consent which can be lawfully implemented.

- Scheme seems excessive for scale of the existing dwelling

The visual impact of the proposal is detailed in section 2 of the Assessment section of this report.

- Balcony would lead to overlooking
- Impact upon light to dining room of no.47
- The proposal would lead to loss of privacy and light
- The proposal would be overbearing

The impact upon residential amenity is detailed in section 3 of the Assessment section of this report.

- The development is out of character with the locality and not subservient design
- Scale, layout and appearance not in keeping when considering the footprint of the dwelling.

The visual impact of the proposal is detailed in section 2 of the Assessment section of this report.

It is noted that the objections received were submitted on the basis of the originally proposed plans which have subsequently been amended. No roof terrace forms part of the proposal the subject of the amended plans.

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: 2025/92897

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).

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 LP1, LP2, LP21, LP22, LP24 & LP30 of the Kirklees Local Plan, Principles within the House Extensions and Alterations SPD and policies within Chapters 2 & 12 of the National Planning Policy Framework

3. The materials of construction used to all external walls and the roofing materials of all pitched roofs of the development hereby approved shall in all respects match those used in the construction of the existing building, be in the locations as set out in submitted drawing A(10)-03RevC and be retained thereafter.

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.

4. The flat roof(s) of the single storey extensions hereby approved shall be used as a roof area only and shall not be used as a balcony or terrace area at any time throughout the lifetime of the development.
Reason: To ensure no detrimental level of overlooking of neighbouring occupiers occurs in the interests of the residential amenity of neighbouring occupiers to accord with policy LP24 of the Kirklees Local Plan, Principles 3 and 4 of the Council's adopted House Extensions and Alterations SPD and Policies within Chapter 12 of the National Planning Policy Framework.

5. The approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.
Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, Principle 15 of the Council's adopted House Extensions and Alterations SPD, the Council's adopted Highways Design Guide and the policies within Chapter 9 of the National Planning Policy Framework

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Location Plan	PP-14413313v1	15 th October 2025
Existing Site Plan	A(00)-02	16 th October 2025
Elevations and Floor Plans – As Existing	A(00)-01	16 th October 2025
Proposed Site Plans	A(90)-02RevB	5 th February 2026
Elevations - As Proposed	A(10)-03RevC	5 th February 2026
Floor Plans – As Proposed	A(10)-02RevC	5 th February 2026
Climate Change Statement		16 th October 2025
Application Form		16 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. Amendments were sought which were considered to acceptably overcome concerns raised in regard to the design and impact upon residential amenity of the originally proposed scheme

Coal – low

