

**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:	2025/62/92901/E
Site Address:	Hillside, Wakefield Road, Lepton, Huddersfield, HD8 0LY
Description:	Erection of dormer extension and installation of feature window/ balcony
Recommending Officer:	Joshua Merriman

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: 19-Dec-2025

Officer Report – 2025/92901

Site Description

The application site refers to Hillside, Wakefield Road, Lepton, Huddersfield, HD8 0LY, a two-storey detached property faced in natural stone, with a pitched gable natural slate roof, aluminium windows, and uPVC doors. The application property lies in a gated site of three dwellings and relates well to the neighbouring dwelling regarding size, scale, character, appearance, and age. Furthermore, the application property benefits from a hard-standing parking area to the front, as well as garden space to the side and rear.

Description of Proposal

The Scheme

The applicant is seeking permission for erection of dormer extension and installation of feature window/ balcony.

The proposed dormer extension will project a maximum of 3.08m from the roof of the original building, with a maximum height of 3.04m, eaves height of 1.44m, and a width of 2.78m.

The balcony will not project from the building but will measure 3.42m in width.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

- Climate Change Statement

History of Negotiations / Amendments Received

No amendments have been requested by Officers.

Relevant Planning History

2003/91922 - USE OF LAND FOR SITING OF RESIDENTIAL CARAVAN FOR USE OF FULL TIME CATTERY CARE ASSISTANT – Refused.

- The site lies within an area which has received approval as Green Belt within which it is intended that new development be severely restricted. It is considered the proposal would provide unnecessary permanent residential accommodation at this site when there are other facilities available. There are no special circumstances why the proposal should be permitted in this case or in the future.

2007/95368 – ERECTION OF CONSERVATORY – Conditional Full Permission.

2021/91757 - Demolition of existing buildings and erection of two detached dwellings – Conditional Full Permission.

2022/91682 - Discharge condition 4 (Ground Investigation Report) on previous permission 2021/91757 for demolition of existing buildings and erection of two detached dwellings – Discharge of Conditions Approved.

2023/90155 - Discharge condition 3 (charging electric vehicles), 10 (collection of wastes) on previous permission 2021/91757 for demolition of existing buildings and erection of two detached dwellings – Discharge of Conditions Approved.

2023/91266 - Variation condition 2 (plans) on previous permission 2021/91757 for demolition of existing buildings and erection of two detached dwellings – Withdrawn – Invalid.

2023/91752 - Alteration to the existing access design off Wakefield Road – Conditional Full Permission.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2015).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 05/12/2025.

Letters of Comment

- Kirkburton Parish Council have been consulted regarding the application - no comment.

Consultation Responses

No consultations were considered necessary for this application.

Allocation and Policy

The site is allocated Green Belt within the Kirklees Local Plan (adopted 2019). The site is also located within a bat alert layer and has had permitted development rights removed.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP30 Biodiversity and Geodiversity
- LP57 The extension, alteration or replacement of existing buildings

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, 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.

- Chapter2 Achieving sustainable development
- Chapter12 Achieving well-designed places
- Chapter13 Protecting Green Belt land
- Chapter14 Meeting the challenge of climate change, flooding and coastal change
- Chapter15 Conserving and enhancing the natural environment

Supplementary Planning Documents / guidance

- Kirklees Highway Design Guide (adopted November 2019)
- House Extensions & Alterations SPD (adopted June 2021)

- The Biodiversity Net Gain Technical Advice Note

Legislation

- The Town & Country Planning Act 1990 (as amended).
- The Planning and Compulsory Purchase Act 2004.
- The Conservation of Habitats and Species Regulations 2017

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
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Other matters – e.g. trees/ecology (e.g. bats)
6. Representations
7. Conclusion

1 – Principle of Development

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.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The dimensions of sustainable development will be considered throughout the proposal.

In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and 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.

The site is located within a green belt area within 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 of the KLP sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open;

All proposals for development in the Green Belt should be treated as inappropriate unless they fall within one of the exceptions set out in Paragraph 154 and 155.

Within Paragraph 154 the exception listed as part c) is for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building, is considered relevant to this application.

Policy LP57 of the Kirklees Local Plan sets out that the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance including the design and materials as well as having regard to previous extensions and the proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas.

The proposal would not have any significant impact upon the five green belt purposes set out in paragraph 138 of the NPPF as the application seeking advice is not of a great enough scale to have a detrimental impact on the character or openness of the green belt.

The additions to the property in the form of a dormer extension would result in a total increase of 1.32%, which is very insignificant, especially considering the positioning and lack of impact on openness of the area. The balcony addition will not add any massing to the dwelling, as the balcony would be Juliet style rather than any projecting platform out from the existing elevation of the house. Considering this, the additions to the dwelling are subservient and are not considered to depict disproportionate development in the Green Belt.

These issues along with other policy considerations will be addressed below.

2 – Impact on character and appearance of the area

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’*.

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.

The recommendations of Paragraphs 5.25 and 5.27 of the House Extensions and Alterations SPD outline recommendations for dormer extensions.

The proposed dormer is to be faced in materials to match the existing building, using natural stone and hung tile dormer cheeks, with a natural slate pitched roof and aluminium window units, ensuring the dormer is sympathetic to the original property and surrounding street scene. Moreover, the extension does not dominate the existing roof plane, nor project above the ridge of the existing roof.

The proposed development is therefore considered to comply with Policies LP1, LP2, and LP24 of the Kirklees Local Plan, Principles 1 and 2 and Paragraph of the Council’s House Extensions and Alterations SPD and Policies within Chapter 12 of the National Planning Policy Framework.

3. Impact on Residential Amenity

Sections B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Key Design Principles 3, 4, 5 and 6 of the Council’s adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

The recommendations of Paragraph 5.28 of the House Extensions and Alterations SPD outline recommendations for dormer extensions and balconies in relation to residential amenity.

The proposed balcony will face North West, which is in the direction of no neighbouring properties, and therefore it is considered that there will be no significant impact upon neighbouring dwellings with regard to overlooking or privacy in this regard. Furthermore, the limited scale of the balcony means

there will be no significant impact upon overbearing, overshadowing, light, or outlook, and the balcony is proposed in a location which is not sensitive to additional noise levels or disruption.

With regard to the dormer, although the window faces towards the neighbouring dwellings, it is considered that the dormer is an adequate distance from other properties and as a result will have no significant impact upon light, outlook, overshadowing, overbearing, privacy, or overlooking.

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, and Paragraph 135, of the National Planning Policy Framework.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and 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.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

It should be noted that although nothing specific is detailed on the submitted plans, the site will retain adequate space for waste storage.

The number of bedrooms will not increase because of the development, and the hard-standing parking area on site will not be reduced in scale, therefore, the current parking provision is acceptable to remain as the requirement for off-street spaces will not increase. Furthermore, the proposal will have no significant impact on highway safety as the dwelling is set well back from the closest highway.

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. 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 predates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Other Matters

Impact upon Ecology

Chapter 15 of the National Planning Policy Framework is 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 roosting area, the proposals are relatively modest, and in this case would not impact upon the existing roof space which has the potential for providing a roost for bats. Therefore it is considered unlikely that the proposals would have an impact on the bat population. An informative would be included 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. Subject to informative the proposal is considered to be acceptable in this regard.

7. Representations

No representations have been received.

8. 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, the proposed development would constitute sustainable development and is therefore recommended for approval.

**Recommendation
PERMISSION**

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2025/92901

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).

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and 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.

2. The face of the dormer hereby approved shall be faced in natural stone with the cheeks of the dormer hereby approved faced in hung tiles which both shall in all respects match those used in the construction of the existing building. The dormer shall thereafter be retained with this finish.

Reason: In the interests of visual amenity and to accord with LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 42 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Site Block and Location Plans as Proposed	25-024/(AL)01	-	30/10/2025
Floor Plan and Elevations as Existing	25-024/(EX)01	-	30/10/2025
Floor Plan and Elevations as Proposed	25-024/(AL)02	-	30/10/2025
Application Forms	-	-	30/10/2025
Climate Change Statement	-	-	30/10/2025

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

09/12/2025