

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

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| Reference No: | 2025/62/92928/W |
| Site Address: | 5, St Mary's Avenue, Netherthong, Holmfirth, HD9 3XN |
| Description: | Erection of single storey side extension (to north western elevation) 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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 05-Jan-2026

The Site

The application site comprises a two-storey end-terrace property, with its principal elevation facing west at the end of a row of dwellings whose main elevations are oriented south. A modest single-storey porch projects forward from the front elevation. The property benefits from a substantial paved parking area to the front, as well as a lawned garden to the side. Externally, the dwelling is finished in artificial stone under a pitched roof clad with concrete tiles.

The Proposal

The applicant is seeking planning permission for erection of single storey side extension (to north western elevation) and associated alterations.

The extension projects approx 4m from the side elevation and measures 4.6m in depth. The extension is designed with a flat roof where the total height measures around 3.1m. Sliding doors are proposed to the north-western elevation of the extension, and a 1x2.5m velux flat rooflight is proposed to the centre of the flat roof.

With regard to materials, the application form specifies that the extension will be constructed in artificial stone and finished with a flat roof comprising GRP/EPDM.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Planning History

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

2013/93271: Outline application for erection of residential development
Refused

2014/91533: Outline application for erection of residential development
Conditional outline permission

2016/93365: Reserved matters application pursuant to outline
permission 2014/91533 for erection of 30 dwellings
Approval of reserved matters

2016/94029: Discharge conditions 5 (affordable housing) and 6 (public open space) on previous permission 2014/91533 for outline application for erection of residential development
Approved

2017/90700: Discharge conditions 4, 7, 9, 11, 12, 13 on previous permission 2014/91533 for outline application for erection of residential development
Approved

2017/92557: Variation condition 1 (plans) on previous permission 2016/93365 for reserved matters application pursuant to outline permission 2014/91533 for erection of 30 dwellings
Removal or modification of conditions

2017/94019: Discharge conditions 9 (highways and drainage) and 11 (drainage) on previous application 2014/91533 for outline application for erection of residential development
Approved

2022/91010: Confirmation of compliance of conditions on previous permission 2014/91533 for outline application for erection of residential development
Split decision

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: 19th December 2025.

No representations were received as a result of the site publicity.

Parish/ Town Council Comments

Holme Valley Parish Council: No comment. Defer to Kirklees officers.

Consultations

No statutory consultations were requested for this application.

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 27th

February 2019) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

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 (LP)

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

Holme Valley Neighbourhood Development Plan

The following policies of this plan are considered most relevant:

- Policy 1 – Protecting and Enhancing the Landscape Character of the Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 12 – Promoting Sustainability
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th 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. 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)

Holme Valley Neighbourhood Development Plan

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

Policy 1 of the Holme Valley Neighbourhood Plan HVNP sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA).

Policy 2 of the HVNP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting. Furthermore this policy sets out that development should sit in with and neither dominate or have a detrimental; impact on its surroundings and neighbouring properties.

The application site is within Landscape Character Area 5 - Netherthong Rural Fringe.

Key landscape characteristic of the area are

- The elevation offers extensive views of the surrounding landscape with long distance views towards Castle Hill and Huddersfield and the valley sides afford framed views towards settlements in the valley below.
- Within Netherthong and Oldfield views of the surrounding landscape are often glimpsed between buildings.
- Distinctive stone wall field boundary treatments divide the agricultural landscape.
- Public Rights of Way (PRoW), including the Holme Valley Circular Walk, cross the landscape providing links between settlements. National Cycle Route no. 68 also crosses the area.

The following Key Characteristics also apply to Holmfirth.

- The town centre is defined by its prominent Georgian church and mid-Victorian buildings.

- The Picturedrome, Civic Hall, Masonic Lodge and the former Holmfirth Technical college reflect local history and provide focal points in the streetscene.
- Mid-19th century terraces constructed largely of millstone grit with slate roofs form the predominant residential building style and often feature ornamental iron railings.
- Built form is generally aligned to the back of the pavement giving a strongly defined building line and distinctive layout.

Key built characteristic of the area are

- In Netherthong and Oldfield buildings are grouped around courtyards to provide protection from the elements whilst Deanhouse has a predominantly linear plan.
- Vernacular buildings largely comprise farmhouses, barns and two and three storey weaver's cottages of millstone grit with stone mullioned windows.

Section 5.3 of the Householder Extensions SPD relates to side extensions. Paragraph 5.15 sets out *“Side extensions should be located and designed to minimise the impact on the local character of the area. The design should reflect the design of the original building in terms of roof style, pitch materials and detailing.”*

Paragraph 5.17 provides the following guidance:

“5.17 Single storey side extensions should be offset and complement the original building. As such, single storey side extensions should:

- *not extend more than two thirds of the width of the original house;*
- *not exceed a height of 4 metres; and*
- *be set back at least 500mm from the original building line to allow for a visual break.”*

The proposed extension projects approximately 4 metres from the side elevation of the host dwelling, which itself has a width of 8 metres. As such, the extension would not exceed two-thirds of the width of the original property. The overall height of the extension would remain below 4 metres, ensuring that it does not visually compete with the scale or prominence of the host building.

It is noted that the extension is not set back 500mm from the original building line. However, the host dwelling is located at right angles to the street, and the property retains full permitted development rights, under which an extension of comparable scale and siting could be constructed. In this context, although the extension is not set back and the roof form does not replicate that of the

existing dwelling, officers consider material weight can be afforded to the fallback position of what could reasonably be achieved under permitted development. The proposed walling materials would match the host property, and these can be secured via condition upon the grant of permission.

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.

Policy 2 of the HVNP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

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.”*

The submitted floor plans indicate that the proposed extension would project approximately 1.5 metres beyond the rear elevation of the adjoining property at No. 7 St Mary's Avenue. Given the modest depth of this projection, together with the overall height of the scheme, Officers are satisfied that the development would not result in any significant overbearing presence or unacceptable overshadowing impacts upon the neighbouring dwelling or its garden area.

Furthermore, the design does not incorporate any windows within the side elevations of the extension. This ensures that the existing levels of privacy enjoyed by the occupiers of No. 7 would be maintained, with no opportunities for direct overlooking into habitable rooms or private amenity space. The closest neighbour to the rear of 10, St Mary's Crescent, approximately 60 metres away, therefore would not lead to a significant overlooking impact.

On balance, the limited scale and sympathetic siting of the extension are considered to safeguard the residential amenity of the adjoining neighbour, in accordance with the objectives of the Householder SPD relating to the protection of outlook, light, and privacy.

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 not increase the number of bedrooms on site, and it is considered the number of occupants within the dwelling would remain as existing. With this being the case, proposed parking arrangements are considered to be acceptable.

The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

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

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

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 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.

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.

Strategic Green Infrastructure Network

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhances green infrastructure is provided / integrated into new developments. In addition this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of

biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies within the Kirklees Local Plan policy LP31 sets out that the Council will support such development. As the proposal relates to a modest side extension located wholly within the dwellings curtilage, Officers are satisfied that the development would not conflict with the function or connectivity of the wider green infrastructure network. The scheme is therefore considered to accord with Policy LP31 of the Kirklees Local Plan.

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: 2025/92928

Officer Recommendation: Approve

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, Policies 1, 2, 12 & 13 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

2. The external walls of the extension hereby approved shall in all respects match those used in the construction of the existing building.
Reason: In the interests of visual amenity and 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: 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.

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|-----------------------------------|-------------|---------|---------------|
| Location Plan | 25/1157/01 | - | 20/10/2025 |
| Existing Block Plan | 25/1157/02 | - | 20/10/2025 |
| Existing Floor Plans & Elevations | 25/1157/03b | - | 20/10/2025 |
| Proposed Floor Plans & Elevations | 25/1157/04b | - | 20/10/2025 |
| Application form | - | - | 20/10/2025 |
| Climate Change Statement | - | - | 20/10/2025 |

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2024 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.

22/12/2025

Report Dated:

Low coal