

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

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

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS**

Reference No:	<b>2025/62/92972/E</b>
Site Address:	1, Healey, Penistone Road, Shelley, Huddersfield, HD8 8JN
Description:	Erection of single and two storey extensions, internal and external alterations
Recommending Officer:	Faiza Bano

**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.**

Kerri Simpson

***AUTHORISED OFFICER***

**Date: 04-Mar-2026**

## **OFFICER REPORT**

### **Site Description**

The site addressed in this application is 1, Healey, Penistone Road, Shelley, Huddersfield, HD8 8JN, an end terrace farmhouse with a stone finish. The site benefits from an amenity area to the front and side, including a driveway and detached garage. At the time of the site visit, partial demolition of the dwelling had taken place.

The site is within the Green Belt, Development High Risk (Coal) and a Bat Alert Layer on the KLP.

### **Description of Proposal**

The application seeks planning permission for the erection of single and two storey extension to the front of the dwelling, with internal and external alterations.

#### **Single Storey Side Extension- Orangery**

The proposed orangery projects out by 5.3m and spans a width of 5.6m, is designed with a flat roof, which includes a roof light, and has an eaves height of 2.9m and an overall height of ~3m from the ground floor level. The orangery will be constructed from stone to match the existing.

#### **Porch**

The proposed porch projects out by 1.1m, spans a width of 2.3m, has an eaves height of ~2.4m, is designed with a pitched roof and has an overall height of 3.7m. The 0.66m high base of the porch is constructed from stone and the rest is constructed from timber, whilst the roof is constructed from tiles to match the existing dwelling.

#### **Two Storey Side Extension**

The two storey side extension forms part of the ground floor lounge/bedroom and first floor bedroom; the extension projects out by 2.3m and spans a width 3.8m. The extension is designed with a lean-to roof and has an eaves height of 2.2m from the ground floor level. The extension will be constructed from stone and tiles to match the existing dwelling.

### **External Alterations**

#### **Side Elevation (South)**

The existing kitchen windows will be removed and replaced with a set of double doors positioned centrally, with windows installed on either side. Roof lights will be added above the first-floor en-suite and the walk-in wardrobe to improve natural lighting within these areas. In addition, a roof light measuring approximately 3.2 metres by 1.7 metres will be installed within the roof plane of the proposed two-storey extension. Double doors will also be incorporated at ground-floor level within the proposed two-storey extension. The existing store window on the side elevation will be replaced with a new door to form part of the proposed porch.

### **Front Elevation**

Full-height windows will be installed along the ground-floor wall of the living room to enhance natural light and provide an improved visual connection to the external frontage.

### **Rear Elevation**

Double doors will be installed to serve the ground-floor lounge/bedroom. A new lintel will be fitted above these doors, as specified by the proposed plans.

### **Relevant Planning History**

90/01873: Formation of Pitched Roof with Dormer Window to Existing Single Storey Building and Erection of Detached Garage - Conditional Full Permission

2025/91437: Erection of single storey extensions with raised patio, external fuel burner flue and associated alterations - Conditional Full Permission

### **Representations**

The application was publicised by site notice in accordance with the Council's adopted Development Management Charter. The publicity period expired on the 13<sup>th</sup> of February 2026. No representations were received.

### **Consultation Responses**

Parish Council – No comment.

### **Policy**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27<sup>th</sup> February 2019).

The site is located within the Green Belt on the Kirklees Local Plan.

On 12<sup>th</sup> November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan 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.

### **Kirklees Local Plan Policies**

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP22** – Parking
- **LP24** – Design
- **LP51** – Protection and improvement of local air quality
- **LP52** – Contaminated and unstable land
- **LP57** – Extension alteration or replacement of existing building

Kirklees Council adopted supplementary planning guidance on house extensions on 29<sup>th</sup> June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

### **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, and the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land

- Chapter 14 – Meeting the challenge of climate, flooding and costal change
- Chapter 15 – Conserving and enhancing the natural environment

## **Assessment**

### Principle of development:

The application site is located on land allocated as Green Belt on the Kirklees Local Plan. The proposal the erection of an infill link extension and raising the height of the ridge to form a first-floor level study/workshop.

Chapter 13 of the NPPF requires Local Planning Authorities to regard the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this include the extension or alteration of a building providing it does not result in disproportionate additions over and above the size of the original building.

An 'original building' is defined in the NPPF glossary as "a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

Policy LP57 of the Kirklees Local Plan states that extensions will normally be acceptable provided that the host building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and other associated buildings will be considered. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building. Furthermore, the proposal should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and the design and materials used should be sensitive to the character of the Green Belt setting.

The site is within the Green Belt on the Kirklees Local Plan Proposals Map. As such a key consideration will be its impact on the Green Belt and it will be assessed having regard to Policy LP57 and NPPF chapter 13. In addition, the impact of the development on design grounds, residential amenity and highway safety will also be considered along with, biodiversity and all other material considerations and representations received.

### Impact on openness of the Green Belt and visual amenity:

Key Design Principle 1 of the House Extensions & Alterations supplementary planning document (SPD) states that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the HEASPD goes onto state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

## *Historical Plans*

As previously highlighted, the site currently benefits from previous permissions on site which have been constructed. Ariel views also show that a conservatory was constructed without permission between 2002 and 2006.

From viewing historical maps of the site, it is indicated that the original footprint of the dwelling measures approximately 250m<sup>2</sup>.

Historical planning permissions and current and historical mapping systems indicate that the current footprint on site is 179.1 m<sup>2</sup>, resulting in a 28.4% decrease in development in the Green Belt. According to historical maps, part of the development no longer stood towards the northern boundary during 1990 and 2000.

The Planning Practice Guidance (PPG) sets out that “openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume”.

In this case, the additional volume would be in the form of single storey and two storey side extensions. Whilst the extension would cover the footprint of part of the original dwelling that once existed and over existing volumes (the conservatory), the impact of the proposal by virtue of the introduction of additional volume to the dwelling must be considered.

## **Background**

The permissions granted under planning reference 2025/91437 have not been constructed, however it is acknowledged that development has commenced.. This application therefore puts forward a revised scheme, whilst the approvals issued under the previous planning decision remain valid and in force.

The proposed orangery along the side elevation would add an additional volume of approximately 89.04 m<sup>3</sup>. The orangery will be subservient to the character and design of the rest of the dwelling. It is considered that this development would be acceptable in the context of the original host dwelling and would not amount to disproportionate additions.

The single storey side extension would add an additional volume of approximately 6m<sup>3</sup>. Given the small volume of the open porch, it is considered that this development would be acceptable in the context of the original host dwelling and would not amount to disproportionate additions.

The proposed two storey side extension would add an additional volume of 19.2 m<sup>3</sup>. Given the nature of the extension, and the location of the development over an original part of the dwelling, it is considered that this development would be

acceptable in the context of the original host dwelling and would not amount to disproportionate additions.

The external alterations are considered acceptable.

As internal alterations do not form part of the planning assessment, this report does not consider any changes proposed within the building. The scope of this assessment is therefore limited exclusively to the external alterations outlined in the application.

Key Design Principle 1 of the House Extension & Alteration supplementary planning document (SPD) states that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the HEASPD goes on to state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building. In addition, the proposal is considered to have an acceptable impact on the openness of the Green Belt.

The plans and application form specify matching materials - stone and tiles to match. On the basis any approval is subject to condition it is undertaken in accordance with the plans / application form submitted the proposal is considered to be acceptable with regard to materials of construction.

#### 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. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained. Principle 16 goes on to require that proposals maintain appropriate storage arrangements for waste.

The proposed extensions are of a single and two storey nature and do not go beyond the existing eaves / ridge height of the original dwelling and taking account of the siting of the development, the proposed extensions are not

considered to have a significant effect upon the amenities of any nearby properties. The proposal would retain adequate amenity / waste storage areas.

The proposal is not considered to lead to a material increase in overlooking over and above that which can take place already and having regard to the scale of the proposal and distance sited from neighbouring properties the proposal is considered to accord with the aforementioned policies.

#### 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 Principles within the House Extensions and Alterations SPD seek to ensure acceptable levels of off street parking, adequate waste storage facilities are provided, are also considered to be of relevance.

The application proposes two additional bedrooms to the dwelling. However, the site currently benefits from existing in curtilage parking and turning space located to the front and rear of the building. This arrangement is anticipated to remain unchanged by the proposed extension. Therefore, it is concluded that the development would not adversely impact highway safety.

#### Other matters:

##### *Carbon Budget*

The proposal is a domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

##### *Ecology*

The application site is located within a Bat alert layer on the Council's GIS mapping system. Due to the scale of the application, a note will be added to the application notifying the applicant, should permission be granted.

As such the application is considered to comply with guidance within Policy LP 30 of the KLP and Chapter 15 of the NPPF.

##### *Coal Legacy*

The application site lies within a Coal Mining High Risk Area as identified by the Coal Authority. The proposal relates to a minor domestic development and falls within the Coal Authority's Standing Advice categories where a Coal Mining Risk Assessment is not required. The proposal is therefore acceptable in

respect of land stability and coal mining legacy, in accordance with Policy LP52 of the KLP.

Representations:

The application was advertised by site notice, which expired on the 13<sup>th</sup> February 2026. As a result of publicity no representations were received.

Negotiations:

N/A

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**

**APPROVE**

**Decision Authorisation - Delegated Powers**

**Application Number:** 2025/92972

**Officer Recommendation:** Approve

**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.

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP22, LP24, LP30, LP51, LP52 & LP57 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the policies contained

within Chapters 12, 13, 14 and 15 of the National Planning Policy Framework.

**NOTE:** Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

Plans and specifications schedule: -

<b>Plan Type</b>	<b>Reference</b>	<b>Date Received</b>
Grouped Plans and Elevations	2106-3 – Existing Plans & Elevations	24/10/2025
Grouped Plans and Elevations	2106-4 – Proposed Plans & Elevations	24/10/2025
Grouped Plans and Elevations	2106-5 – Existing & Proposed Site Plans	24/10/2025
Location Plan	2106 – Ordnance Survey Plan	24/10/2025
Plan General	2106-6	24/10/2025
Supporting Information	Climate Change Statement	24/10/2025
Application Form	-	24/10/2025

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 Planning 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 requested.

Report Dated: 03/03/2025