# 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: | **2025/62/93093/W** |
| Site Address: | 21, Mount Avenue, Mount, Huddersfield, HD3 3XS |
| Description: | Erection of rear extensions |
| 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.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date: 23-Dec-2025**

**Officer Report – 2025/93093**

## Site Description

The application site refers to 21, Mount Avenue, Mount, Huddersfield, HD3 3XS, a two-storey semi-detached property faced in brick, with a pitched red concrete tiled roof, and uPVC windows and doors. The application property lies in a relatively uniform street scene, surrounded by dwellings of a similar size, scale, character, appearance, and age. Furthermore, the property benefits from a hard-standing parking area and garden space to the front, as well as further amenity space to the rear.

## Description of Proposal

*The Scheme*

The applicant is seeking permission for Erection of rear extensions.

The first floor rear extension will act as an infill extension, not projecting further than the rearmost elevation of the existing building, and not being visible from the front of the dwelling.

The single storey rear extension will project 1.85m from the rear elevation of the existing building, with a maximum height of 3.45m, eaves height of 2.4m, and a width of 7.37m.

*Supporting Information*

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

- Climate Change Guidance

## History of Negotiations / Amendments Received

No amendments have been requested by Officers.

## Relevant Planning History

There is no relevant planning history at the application site.

**Representations**

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (December 2024).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 19/12/2025.

**Consultation Responses**

No consultations were considered necessary for this application.

**Allocation and Policy**

The site is allocated in a bat alert layer within the Kirklees Local Plan (adopted 2019).

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

*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
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
2. Impact upon the character and appearance of the area (including impact upon historic environment)
3. Impact upon residential amenity
4. Impact upon highway safety
5. Climate Change
6. Other matters – e.g. trees/ecology (e.g. bats)
7. Representations
8. 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.

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 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.

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

Considering the above policy, the principle of the development is considered to be acceptable.

**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 5.1, 5.2, 5.6, and 5.8 of the House Extensions and Alterations SPD outline recommendations for single storey and two storey rear extensions.

The proposed first floor infill extension will be completely set behind the existing building, not projecting beyond the sides, use matching materials to the existing building, and remain subservient to the existing house and garden. Moreover, the infill extension will not project from the rear elevation of the existing building and will appear proportionate to the host dwelling regarding height and width, as it will match those of the existing dwelling.

The single storey rear extension will also be completely set behind the existing building, use matching materials, and remain subservient to the host property. Furthermore, the proposal does not exceed 4m in height, or project further than the 3m allocated for semi-detached properties.

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 Paragraphs 5.1, 5.2, 5.6, and 5.8 of the House Extensions and Alterations SPD outline recommendations for single and two storey rear extensions.

Both proposed extensions will have no impact upon maintaining external access to the rear garden, as the current access will remain, or significantly reduce the scale of the rear garden to less than 50%. Moreover, the limited scale of the infill extension, as well as the limited projection of the single storey extension and the presence of a rear extension at the adjoined property will mean there is no overshadowing or overbearing impact onto neighbouring dwellings.

Both extensions will also be separated from the property boundary by at least 1m, or have any significant impact upon privacy or overlooking due to the absence of side windows and adequate space between the windows proposed in the rear elevations and neighbouring properties to the West.
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 in the property will not increase as a result 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. 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 a significant 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** **CONDITIONAL FULL PERMISSION**

**Decision Authorisation: Delegated Powers**

**Application Number:** 2025/93093

**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 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.

3. The materials used in the construction of the extensions hereby approved shall in all respects match those used in the construction of the existing building.
   **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 |
|---|---|---|---|
| Existing and Proposed Drawings | (0-) 01 | - | 06/11/2025 |
| Application Forms | - | - | 06/11/2025 |
| Climate Change Statement | - | - | 06/11/2025 |

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:** 19/12/2025