

**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>2025/62/93129/W</b>
Site Address:	395, Manchester Road, Marsden, Huddersfield, HD7 6DP
Description:	Raising of roof height, demolition of existing rear lean-to extension and erection of two storey rear extension with associated alterations
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.**

Danielle Cooper

***AUTHORISED OFFICER***

**Date: 14-Jan-2026**

## **Officer Report – 2025/93129**

### **Site Description**

The application site refers to 395, Manchester Road, Marsden, Huddersfield, HD7 6DP, a detached bungalow faced in concrete block, render, and coursed stone walls, with a pitched, hipped blue slate roof. The application property lies in a relatively uniform street scene, being surrounded by properties of a similar size, scale, character, and appearance. Furthermore, the application property benefits from an area of amenity space to the front as well as a garden area to the rear.

### **Description of Proposal**

#### *The Scheme*

The applicant is seeking permission for Raising of roof height, demolition of existing rear lean-to extension and erection of two storey rear extension with associated alterations.

The proposed two-storey rear extension will project 3.5m from the rear elevation of the existing building, with a maximum height of 5.36m, eaves height of 2.41m, and a width of 7.85m.

2 new roof lights are proposed to the front elevation.

1 new window is proposed to the west side elevation.

It should be noted that the proposed increase in roof height at the dwelling has been granted permission in previous approval 2024/92127.

#### *Supporting Information*

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

- Climate Change Statement
- Planning Statement

During the course of the assessment of the application, the following additional/amended plans/information was submitted for consideration:

06/01/2026 – Grouped Plans and Elevations – 25-016-03C

### **History of Negotiations / Amendments Received**

The case officer sought it necessary to reduce the overall scale of the development as the application site is located within the Green Belt. Upon communicating this to the agent, amended plans were submitted showing a reduction in the increase in eaves height and total height of the rear extension by 350mm, and a reduction in the projection of the rear extension from 3.5m to 3m.

### **Relevant Planning History**

The most relevant planning history relates to the following planning applications

2024/92127 – Raising of roof height and erection of rear dormer with associated alterations – Conditional Full Permission.

2025/91575 – Certificate of lawfulness for proposed erection of single storey rear extension – Cert of Lawful Opps Granted.

### **Representations**

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

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 27/12/2025.

### **Consultation Responses**

No consultations deemed 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 Strategic Green Infrastructure Network area, as well as a bat alert layer and twite buffer.

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  
LP31 Strategic Green Infrastructure Network  
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
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.

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

The site is located within a green belt area within the Kirklees 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 major effects on a green belt dwelling.

The additions to the property in the form of a two storey rear extension and raised roof height would result in a total increase of 37%, which is considered to be proportionate in relation to the existing building, especially considering

the bulk of the extension is proposed to the rear of the dwelling, and neighbouring properties have also erected rear extensions in the locality.

Considering this, the additions to the dwelling are subservient and are not considered to depict disproportionate development in the Green Belt.

It is also noted that the site benefits from planning permission under applications: 2024/92127 & 2025/91575 and therefore has a fallback position. The agent has confirmed that if planning consent is granted for this application, the previous two permissions will not be carried out.

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 5.1, 5.2, and 5.8 of the Councils House Extensions and Alterations SPD are outlined below:

- *Being set behind the original building and not projecting beyond the sides.*
- *Respect the original house and garden in terms of its size and scale;*
- *Use appropriate materials which match or are similar in appearance to the original house.*
- *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).*

The two-storey rear extension is set entirely behind the existing building, not projecting beyond the sides, and is considered to respect the original house

and garden in terms of size and scale, not exceeding 50% of the total area of land around the original house. Furthermore, the use of concrete block, render, and coursed stone walls, as well as a blue slate roof is considered acceptable as these materials are to match those used in the existing dwelling.

As assessed under application ref: 2024/92127, as the property sits on an elevated position, set back from Manchester Road, it is considered that the works to raise the roof height would not be disproportionate to the host dwelling and therefore would have an acceptable impact in this regard. Due to the adjacent dwelling to the west being set on a higher ground level, the raised roof height will not appear to be any higher than this property. Furthermore, there are a variety of roof heights within the street scene some bungalows which host living accommodation within the roof space and other two storey properties and therefore it is considered that to increase the roof height of the building would not lead to visual harm within the street scene. The proposed front roof lights are considered visually acceptable.

The proposed west side window in the host dwelling is also not considered to raise any concern to visual amenity.

The proposed development is therefore considered to comply with Policies LP1, LP2, and LP24 of the Kirklees Local Plan, Principles 1 and 2 and Paragraphs 5.1, 5.2, and 5.8 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, and 5.8 of the Councils House Extensions and Alterations SPD are outlined below:

- *Maintaining external access to the rear garden.*

- *Not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.*
- *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.*

The development will ensure the existing external access to the rear garden is retained on the application site, and the projection of the extension is 3.5m, falling within the allocated 4m for detached properties, with the eaves height of the extension not exceeding 2.5m where the development exceeds 3m in length.

However, the proposal has a maximum height of 5.36m, which exceeds the 4m allocation, and does not ensure a 1m gap is retained to the Western property boundary. Despite these breaches of guidance, it is considered that the development is located an adequate distance away from neighbouring properties and as a result will have no significant impact upon overshadowing, overbearing, light, outlook, or privacy of neighbouring dwellings and occupiers.

The extension is set in approx. 3.5m from no. 393 and it meets the 45 degree code as shown on the submitted floor plan. Given the generous separation distance in place, the proposed rear extension is not considered to result in adverse overbearing or overshadowing impact that would warrant a refusal and is therefore acceptable.

The extension is set in from the side elevation of No. 397 by 2.4m and it would not project past no. 397's rear elevation. In addition, as no. 397 is on a higher land level, there are no concerns to potential over bearing or overshadowing impact.

The proposed west side window within the extension and side wall of the host property will face towards the existing boundary fence, acting as a screen. As such there are no concerns to loss of privacy to No. 397.

The rear windows will overlook the hosts own garden area and therefore raises no concern.

Due to the separation distances in place as well as the positioning of the dwellings, the proposed raised ridge height of the host property is not considered to result in any adverse overbearing or overshadowing impact. It is also noted that the raised ridge height was granted permission under application ref: 2024/92127.

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, and Paragraphs 5.1, 5.2, and 5.8 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.

Although the number of bedrooms in the property will increase from two to three as a result of the proposal, given the minor increase, with the property already having no on site parking, the proposal is not considered to result in any harm to highway safety that would warrant a refusal.

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 and twite buffer, 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 or twites. Therefore, it is considered unlikely that the proposals would have a significant impact on the bat or twite populations. An informative would be included making the applicant aware that if bats or twites 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:** 2025/93129

**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.

**NOTE:** The applicant is advised that under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2018, the developer is required to take account of the timing of works in relation to the bird breeding season. An inspection to check for the presence of nesting birds is advised if demolition and/or site/vegetation clearance works are likely to take place during the bird breeding season (1st March to 31st August inclusive). If twites 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	01	-	12/11/2025
Existing Plans and Elevations	2024/007/01	-	12/11/2025

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed Plans and Elevations	25-106-03C	-	06/01/2026
Application Forms	-	-	12/11/2025
Climate Change Statement	-	-	12/11/2025
Planning Statement	-	-	12/11/2025

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. The case officer sought it necessary to reduce the scale of the proposed development to reduce the overall massing and ensure the development was proportionate within the Green Belt and subservient to the original property.

**Report Dated:**

14/01/2026