

**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>2025/62/93253/E</b>
Site Address:	2, Eunice Lane, Upper Cumberworth, Huddersfield, HD8 8PB
Description:	Demolition of existing porch and erection of replacement porch structure, formation of new openings and associated alterations (within a Conservation Area)
Recommending Officer:	Morgan Braithwaite

**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: 06-Mar-2026**

## **OFFICER REPORT**

### **Site Description**

2, Eunice Lane, Upper Cumberworth, Huddersfield, HD8 8PB is a two-storey detached dwelling faced in stone. The property benefits from parking provision with a detached double garage to the front, along with a large area of amenity space.

The dwellings which form the street scene are somewhat similar in scale, appearance and material palette. The area is semi-rural and predominantly residential, with access to some local amenities.

It is noted that the application property resides within a Conservation Area within the Councils GIS System.

### **Description of Proposal**

The applicant seeks permission for the demolition of the existing porch and the erection of a replacement porch structure, formation of new openings and associated alterations (within a Conservation Area).

The demolition of the existing porch shall accommodate the introduction of bi-folding doors measuring 2.7m in width and is to be set in from the boundary wall by 0.75m. It is further noted that the existing porch formed part of the boundary treatment between the amenity space of the application property and the public realm. It is therefore proposed that 2m dry stone wall shall be erected and stepped down to match the existing boundary treatment.

The proposed porch is to project 1.5m from the front of the property and span a width of 2.5m. The proposal is to feature a pitched roof with a maximum height of 2.8m. The porch is to be constructed of a stone plinth measuring 0.85m in height, which shall then support the timber structure to form the rest of the walls and roof.

An existing eternal door located in the principal elevation close to the existing front extension, is to be removed and replaced with a window.

The materials stated suggest that natural course stone, artificial slate, timber windows and aluminium doors are to be used.

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

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2015 encourages negotiation/engagement between Local Planning Authorities and

agents/applicants. As the proposal was considered acceptable, no amendments were sought.

#### Relevant Planning History

2001/92943: Re-use and adaptation of stables/farm store to 'granny flat' – Conditional Full Permission.

2005/92792: Erection of two-storey extension (within a Conservation Area) – Conditional Full Permission.

2012/90555: Erection of single storey extension, porch and garage with room over (within a Conservation Area) – Withdrawn

2012/91741: Conservation Area Consent for demolition of existing stables/barn – Conservation Area Consent Granted

2012/91742: Erection of single storey garden room, porch and garage with room above, and demolition of existing stable/barn (within a Conservation Area) – Conditional Full Permission

#### 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: 28<sup>th</sup> December 2025

No representations were received as a result of the publicity.

Denby Dale Parish Council were informed of the planning application. No objections were made.

#### Consultation Responses

##### *Conservation*

A Kirklees Council Conservation Officer was informally consulted regarding the application. It was determined that the proposal should use matching materials – if natural stone slate could be used from the porch this would be preferable to artificial stone slate. It was further noted that while not ideal in terms of the roof change for the porch and the large opening to form the French windows; the property is not listed and is well hidden from public view, the alterations are considered acceptable, subject to the use of matching materials including the rainwater goods. Rainwater goods should be metal painted black, not plastic.

#### 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 27th February 2019). The site is unallocated on the Kirklees Local Plan. 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.

#### Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP 22** Parking
- **LP 24** – Design

Kirklees Council adopted supplementary planning guidance on house extensions on 29th 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 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.

- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 16 – Conserving and enhancing the historic environment

#### Supplementary Planning Guidance

- House Extensions and Alterations SPD (June) 2021

#### Legislation

The Town and Country Planning Act 1990 (as amended).

Section 38(6) of the Planning 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 on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety

- 5) Other matters
- 6) Representations
- 7) Conditions
- 8) Conclusion

### 1) Principle of development

The site is without notation of the Kirklees Local Plan (KLP). 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. In terms of extending and making alterations to the 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 planning considerations, including visual and residential amenity, as well as highway safety.

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”.

The principle of development is established due to the current existence of a front porch to the application property. The proposal sees this relocated to the centre of the principle elevation rather than towards the side (east) elevation. Glazed bi-folding doors are to be located in this area instead. It has therefore been deemed, that the proposed works would improve the overall design and appearance of the property as it would appear more balanced.

### 2) Impact on 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.

While extensions to the front of the property are usually considered unacceptable due to their prominence within the street scene, in this

circumstance the proposal is considered acceptable. This is due to the layout of the site, orientation, and relationship with neighbouring dwellings. The proposal is single storey in scale and would be screened from neighbouring properties due to a significant boundary wall, as well as sitting at a slightly higher topographical level. The proposal is to be constructed of materials matching that of the existing dwelling for the walling material, therefore enabling the extension to work cohesively with the host dwelling. Whilst artificial and not natural stone slate roof tiles are proposed, it is noted that the dwelling is not listed and the proposal is not visible from the public realm. Such a material is therefore acceptable in this instance. A similar stance has been taken to the formation of a dry-stone wall which shall continue from that of the existing. 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.

### 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.

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.”

Due to the semi-rural nature of the site and the application dwelling being detached, there are no immediate adjoining neighbours. Nos. 1,3 and 7 reside to the east of the application site, however, it is unlikely the proposal would cause any adverse impacts due to the separation distance between the dwellings, along with the existence of a significant boundary treatment which would predominantly screen the single storey extension.

No.4 and 8 are located to the south of the application property. It is more likely these dwellings would have visibility to the proposal due to the minimal scale

of boundary treatments. However, due to the relationship between the properties and the single storey scale of the proposal; it is again unlikely that the proposal would cause any adverse effects in relation to overlooking, overshadowing/loss of light or overbearing impact.

In summary, the proposal would have no adverse impact upon the residential amenity of adjacent occupiers and would accord with Policy LP24 of the KLP and the Key Design Principles of the House Extensions and Alterations SPD.

#### 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 proposal shall see no alteration to existing parking provision, nor shall it see the addition of any further bedrooms.

Therefore, the proposal would not represent any additional harm in terms of highway safety and as such, complies with Policy LP22 of the Kirklees Local Plan along with Key Design Principles 15 & 16 of the House Extensions and Alterations SPD.

#### 5) Other matters

##### *Carbon Budget*

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.

##### *Bats*

The property is located within a Bat Alert layer in the council's GIS system. A note has been added advising of how to proceed should bats be encountered on site.

#### 6) Representations

No representations were received as a result of site publicity. The proposal was advertised by site notice, with the public consultation period ending 26<sup>th</sup> December 2025.

#### 7) Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

Matching materials condition (or if not matching the existing, should match that stated on the submitted plans)

### 9) Conclusion

The application to demolish an existing porch and erect a replacement porch structure along with the formation of new openings and associated alterations (within a Conservation Area) at 2, Eunice Lane, Upper Cumberworth, Huddersfield, HD8 8PB has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Governments view of what sustainable development means in practice.

As set out above, 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                      CONDITIONAL FULL PERMISSION**

**Decision Authorisation – Delegated Powers**

**Application Number:** 2025/93253

**Officer Recommendation:** Conditional Full Permission

### 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.

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The external walling material of the extension hereby approved shall in all respects match those used in the construction of the existing building and shall thereafter be retained. Artificial stone slates shall be used for the roofing material.

**Reason:** In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions and

Alterations SPD and the aims of 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 regulation 41 of the Conservation of Habitats and Species Regulations 2010. 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 granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

**NOTE:** To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays

08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction/ sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

<b>Plan Type</b>	<b>Plan Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	345-25-PL03	B	25/11/2025
Existing Floor Plans, Elevations & Site Layout	345-25-PL01	B	25/11/2025
Proposed Floor Plans, Elevations & Site Layout	345-25-PL02	B	25/11/2025
Climate Change Statement		-	25/11/2025

Planning and Heritage Statement		-	25/11/2025
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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 alterations have been sought since submission as the proposals were considered to be acceptable in their original form.

Report Dated: 6<sup>th</sup> March 2026