

**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:	2025/62/93327/E
Site Address:	44, Kenyon Bank, Denby Dale, Huddersfield, HD8 8TF
Description:	Demolition of existing garage and erection of two storey side extension with single storey rear extension including roof terrace
Recommending Officer:	Jennifer Booth

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.

Emma Thompson

AUTHORISED OFFICER

Date: 18-Feb-2026

OFFICER REPORT

Site Description

44 Kenyon Bank is a detached, stone built dwelling with a garage at the side, a parking space to the front and an enclosed garden to the rear.

The property is located on a cul de sac of properties which are similar in terms of age and style.

Description of Proposal

The applicant is seeking permission to erect a two storey side extension with a raised balcony to the rear.

The side extension would be set back 0.2m from the front and would project 3m beyond the original side wall of the dwelling. The extension would extend the depth of the dwelling and 1.6m beyond the rear with a pitched roof to match the main house to the side and a small perpendicular pitched at the rear.

The proposal includes a raised balcony at the rear with a projection of 1.6m and a width of 2.5m with a glazed balustrade.

The walls would be constructed using stone with tiles for the roof covering.

Relevant Planning History

2009/91446 – erection of sun room - approved

Representations

The application was advertised by site notice, which expired on 06/02/2026

As a result of the above publicity, no representations have been received.

Denby Dale Parish Council have been notified and responded with no objections

Consultation Responses

None

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 Proposals Map

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
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP 30** – Biodiversity

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.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

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

- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

Principle of development:

The site is without notation on 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 a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions & 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.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state 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 House Extensions & Alterations SPD 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.

The proposal consists of two distinct elements which shall be considered below.

Two storey side extension

Paragraphs 5.15, 5.19 & 5.21 of the House Extensions & Alterations SPD are of relevance with regards to the side extension as they require the development proposed to be located and designed to minimise the impact on the character of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space.

The proposed two-storey side extension would have a very limited set-back from the principal elevation, with the eaves height reduced in comparison to the main roof, ensuring the addition reads as a subservient element to the host dwelling. The use of matching materials would reinforce visual continuity with the existing property, and the proposed detailing is considered to form an appropriate and sympathetic relationship with the main house. Overall, the

design is in keeping with the established character of the cul-de-sac and is not anticipated to result in harm to the visual amenity of the streetscene.

Single storey rear extension with roof terrace

Paragraphs 5.1 and 5.2 of the House Extensions & Alterations SPD go into further specific detail regarding rear extensions requiring development to maintain the quality of the residential environment, respect the original house and use appropriate materials. Paragraph 5.28 of the House Extensions & Alterations SPD does support appropriately designed and sited balconies which do not negatively affect neighbouring properties or alter the local character of the area.

The proposed single-storey rear extension, incorporating a roof terrace, is modest in scale and would remain subordinate to the host dwelling. The use of materials that match the existing house would ensure visual continuity and help the extension integrate seamlessly with the original built form. Given its restrained proportions and the sympathetic approach to design and materials, the proposal is not considered to result in any adverse impact on the visual amenity of the property or its surroundings.

Having taken the above into account, the proposals 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, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

There are no properties to the front or rear which could be affected by the works proposed.

Impact on 42 Kenyon Bank

The proposed side extension would replace the existing garage and result in the dwelling being brought closer to the adjacent neighbour. Although the neighbouring property sits at a lower land level and contains openings within its side elevation, these windows serve non-habitable rooms or function as secondary openings. The land to the side also accommodates a pathway

providing access to the neighbour's rear garden. The neighbouring dwelling extends further back within its plot, meaning the rear portion of the two-storey side extension would broadly align with the neighbour's side elevation. Given this spatial arrangement, the proposal is not considered to result in significant overbearing or overshadowing impacts. Furthermore, the positioning of the proposed fenestration ensures there would be no harmful overlooking.

The single storey rear extension with roof terrace would be located on the opposite side of the two storey extension and as such would have no impact on the amenities of the occupiers of the adjacent dwelling.

With regards to the impact on the adjacent 42 Kenyon Bank, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Impact on 46 Kenyon Bank

The adjacent property to the south east does not align with the host property. Given the spatial relationship, the proposed extensions would result in no overlooking, overshadowing or overbearing.

With regards to the impact on the adjacent 46 Kenyon Bank, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions & Alterations SPD and Chapter 12 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will result in some intensification of the domestic use and the loss of the garage. IT is noted that the garage is not of a size to meet modern parking standards. However, the parking area to the front of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. Bin storage for the dwelling would not be moved as part of the proposals. As such the scheme 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 & Alterations SPD.

Other matters:

Biodiversity

After a visual assessment of the building by the officer, it appears that the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are found during the development, then work must cease immediately and the advice of a licensed bat worker sought.

Carbon Budget

The proposal is a small scale 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.

There are no other matters for consideration.

Representations:

None

Negotiations:

None

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 to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

Conclusion:

This application to erect a two storey extension to the side with a single storey rear extension including a roof terrace at 44 Kenyon Bank has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable.

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.

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

Approve

Decision Authorisation - Delegated Powers

Application Number: 2025/93327

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.

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 & Alterations SPD and the aims of the National Planning Policy Framework.

3. The external walls and roofing materials 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 to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & 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: -

Plan Type	Reference	Web ID	Date Received
Location plan	-	1116665	09/12/2025
Existing site plan	PL102	1116684	09/12/2025
Existing ground floor plan	PL103	1116683	09/12/2025
Existing first floor plan	PL104	1116677	09/12/2025
Existing roof plan	PL105	1116675	09/12/2025
Existing elevations NE	PL106	1116672	09/12/2025
Existing elevations SW	PL107	1116670	09/12/2025
Existing elevations NW	PL108	1116668	09/12/2025
Existing elevations SW	PL109	1116667	09/12/2025
Proposed site plan	PL200	1116664	09/12/2025
Proposed ground floor plan	PL201	1116662	09/12/2025
Proposed first floor plan	PL202	1116658	09/12/2025
Proposed roof plan	PL203	1116657	09/12/2025
Proposed elevations NE	PL204	1116656	09/12/2025
Proposed elevations SW	PL205	1116652	09/12/2025
Proposed elevations NW	PL206	1116651	09/12/2025
Proposed elevations SE	PL207	1116650	09/12/2025
Climate change statement	-	1117344	09/12/2025

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.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated

16/02/2026