

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:	2025/62/93345/W
Site Address:	257, Birkby Road, Birkby, Huddersfield, HD2 2DW
Description:	Replacement of roof including increasing height of eaves and ridge, erection of two storey side and single storey front extensions, demolition of existing garage and erection of detached garage to front, widening of existing access with associated surfacing and works
Recommending Officer:	Joanna Rednall

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.

John Holmes

AUTHORISED OFFICER

Date: 23-Mar-2026

The Site

257 Birkby Road is a detached dwelling located in Birkby, Huddersfield. The property is finished in timber cladding and brick with a shallow lean-to roof incorporated above. A flat roof garage and an attached car port are sited to the front of the existing building. The site lies within an established residential area whereby surrounding development varies in terms of design and scale. It is set within generous landscaped grounds containing mature vegetation and a large rear garden. Vehicular access is taken from Birkby Road, with on-site parking provided to the front. The land slopes gently towards the rear, which facilitates the split-level form of the building incorporating both ground and lower-ground floors.

The locality is characterised by dwellings in generous sized gardens, which are of a variety of style, type, age and design.

The Proposal

The applicant is seeking planning permission for replacement of roof including increasing height of eaves and ridge, erection of two storey side and single storey front extensions, demolition of existing garage and erection of detached garage to front, widening of existing access with associated surfacing and works.

Replacement roof including increasing height of eaves and ridge

The existing shallow lean-to roof will be replaced with a steeper lean-to design, increasing in height from approximately 6.6m to 8.3m. The current bitumen covering will be removed and replaced with blue slate. The proposed roof will overhang to the rear, creating a stepped roofline, with a shallower rear slope measuring approximately 3.2m to the eaves when viewed from the rear elevation.

Two storey side extension

A two-storey side extension is proposed at lower ground floor and ground floor levels. The extension will measure approximately 4.8m in width at lower ground floor level and 4.0m at ground floor level. It will have an eaves height of 5.2m and a ridge height of 8.3m.

The external finish will comprise natural stone at lower ground floor level and an off-white/cream render at ground floor level.

With regard to fenestration, the front elevation will include two openings at both lower ground and ground floor levels. The side elevations will feature two

high-level windows at each level, while the rear elevation will incorporate sliding doors at both lower ground and ground floor levels.

Single storey front extension

A single-storey porch extension is proposed to the front of the property, measuring approximately 3.2m in width and 0.9m in depth. It will feature a pitched gable roof, with an eaves height of 2.6m and a ridge height of 5.0m. The extension will be finished in stone with a blue slate roof to match the main dwelling.

Demolition of existing garage and erection of detached garage

The existing garage and car port will be demolished to facilitate the construction of a new detached garage to the front of the dwelling. The proposed garage will measure approximately 6.3m in width and 6.3m in depth, with an eaves height of 1.8m and a ridge height of 3.8m.

The extensions would serve a bedroom, en-suite and walk in wardrobe at ground floor, and a bedroom, two bathrooms and walk in wardrobe at lower ground floor plan. The total number of bedrooms would not change as a result of the development, and would remain at 4.

History of Negotiations

Officers raised concerns with the applicant's agent regarding the siting of the proposed garage. Amended plans received on 27 February reposition the garage further away from the highway. These revisions were considered acceptable and the application has therefore been progressed to determination on the basis of the amended plans.

Planning History

Relevant planning history for this site is summarised as follows:-

88/02474: New pitched roof to replace existing flat roof – Granted conditionally

99/92245: Erection of detached garage and car port – Conditional full permission

Publicity & 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: 11 December 2025.

No representations were received as a result of the publicity. The amended plans were not re-publicised as these did not fundamentally change the development applied for.

Parish/ Town Council Comments

N/A.

Consultations

KC Highway Development Management: no objection.

Allocation & Policies

The site is unallocated within the Local Plan although does fall within an area with a known presence of bats.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, 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 16th 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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

-

Chapter 2 – Achieving sustainable development

- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

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

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

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. 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”.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon 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.

Two storey side extension

Section 5.20 of the Council's SPD relates to two storey side extensions and sets out the following guidelines:

5.20 Two-storey side extensions should:

- *not take up all or most of the space to the side of a house;*
- *maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and*
- *be set back at least 500mm from the front wall of the house.*

The proposed two storey side extension does not extend across the full width of the side garden and retains a clear separation from the side boundary. A minimum gap of approximately 1.6 metres would be maintained, increasing to around 2.5 metres due to the oblique angle of the building in relation to the boundary. This arrangement would preserve a sense of openness and maintain visual separation between built forms, ensuring that the extension would not appear unduly dominant or result in a sense of enclosure when viewed from neighbouring sites or from wider public vantage points along Birkby Road.

Whilst the extension is not set back from the principal elevation, this is considered acceptable in the context of the application site. The proposed split-level design responds to the existing topography and would reduce the perceived bulk and prominence of the structure. As such, the extension would not appear overly prominent within the street scene. The proposed external materials, comprising render and stone, are considered appropriate and would reflect the established material palette of the surrounding area, thereby ensuring the proposal integrates with the host.

It is also noted that the host property is a detached dwelling and does not form part of a continuous built frontage. As such, the proposal would not give rise to a terracing effect, nor would it disrupt any established building line or pattern of development within the street scene. A terrace is also proposed along the rear of the extension, and is built into the sloping topography of the land. This element of the proposal is not considered to have a significant visual impact given its scale and siting.

Having regard to the above considerations, it is concluded that the proposed two-storey side extension would not result in harm to the character or appearance of the host dwelling or the wider area. The proposal is therefore considered to be acceptable in visual and design terms.

Front extension

Paragraphs 5.13 and 5.14 of the Extensions SPD relate to front extensions. Paragraph 5.14 sets out the following guidance:

Single storey extensions on the front of a house and two-storey or first floor front extensions are usually unacceptable due to the impact on the character of the area and visual amenity and will not normally be permitted unless:

- *The house is set well back from the pavement or is well screened; and*
- *The extension is small, subservient to the original building, well-designed and would not harm the character of the original house or the area; and*
- *The materials and design match the existing features of the original house; and*
- *The extension would not unreasonably affect the neighbouring properties.*

In this instance, the application site is set a considerable distance back from the highway at around 15m, which limits the prominence of the proposed development within the street scene. The front extension is modest in scale and clearly subservient to the host dwelling. It is designed with a pitched gable roof that is set notably below the ridge height of the existing house, ensuring that it appears proportionate and visually proportionate in relation to the main building.

The proposed materials would reflect those of the host property, with the use of brick complemented by a greater proportion of glazing. Whilst the design incorporates a more contemporary appearance, including glazing to the front gable, this is not considered to appear incongruous given the existing dwelling's modern design. Furthermore, the surrounding area is characterised by a variety of house types and architectural styles, and therefore the proposal would not appear out of keeping within this varied streetscape.

Given its limited scale, subordinate design, and set-back position, the extension would not result in any undue visual intrusion or have an adverse impact on the amenity of neighbouring properties. Overall, the proposal is considered to be acceptable in terms of its design, scale, and impact on the character and appearance of the area.

Demolition of existing garage and erection of detached garage

Paragraphs 5.29 and 5.30 of the SPD relates to outbuildings and garage extensions:

5.29 Outbuildings, such as garden offices, detached garages and granny annexes, can have as much of an impact on the appearance of the building as any other extension. Wherever possible these should reflect the style, shape and architectural features of the existing house and not be detrimental to the space around the building.

5.30 Outbuildings should normally:

- be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings;
- be set back behind the building line of the original building so that they do not impact on the street scene; and
- preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and
- follow a general principle that no more than 50% of garden space should be lost

In this case, the proposed double garage would replace the existing single garage located to the front of the property. The replacement structure would be larger in scale, measuring approximately 6.3 metres in width and 6.3 metres in depth, with an eaves height of 1.8 metres and a ridge height of 3.8 metres. The garage would be finished in a light grey render, which is considered to be an appropriate external material and can be secured via condition for the development to be undertaken in accordance with the plans list.

In assessing the proposal, it is acknowledged that the footprint of the garage would increase. However, when considered in the context of the host dwelling and its associated curtilage, including the cumulative scale of proposed extensions, the garage would remain proportionate and visually subordinate to the main house. As such, the development is not considered to represent a dominant or incongruous addition within the site.

With regard to the established building line, the garage would be located to the front of the dwelling, and would project beyond No.255, the neighbour to the side. Nevertheless, when viewed within the context of the wider street scene along Birkby Road, the building line is not uniform and exhibits a degree of variation. While the proposed garage would extend beyond the building line to the east, the pattern of development to the west is more irregular, and therefore the proposal would not appear unduly prominent or harmful. Furthermore, the garage would be set back approximately 3.5 metres from the street, which would further reduce its visual impact. The proposed garage has been designed with a pitched roof to match the style of the main

house. Overall, officers consider the garage would represent an improvement on the existing structure in terms of design and appearance.

The agent has also provided justification for the proposal in correspondence dated 27 February, stating: *“There is no material visual harm. The garage will match the materials of the main dwelling, ensuring it remains subordinate and in keeping. An existing boundary wall already screens the site from the road, with mature hedging above reaching approximately 6–8 feet in height. The structure will therefore be largely concealed from public view.”*

Having regard to the above considerations, it is concluded that the proposed garage would not result in harm to the character or appearance of the street scene for which a refusal of permission could be substantiated in this case. The proposal would replace an existing garage / car port structure in largely the same location and would be of an improved roof design, maintaining a gap from the highway with a degree of screening in place. Taking this into account and the wider character of the street scene it is therefore considered suitable justification is present in this case and the proposal concluded acceptable in design and visual terms.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and policies within the National Planning Policy Framework.

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.”*

With regard to overlooking and loss of privacy, the proposal includes the formation of a raised terrace and the insertion of windows to the rear and side elevations. The terrace would be modest in its design and integrated into the existing topography of the site, running parallel to the rear elevation and raised by approximately 0.5 metres above the highest ground level. It would be positioned approximately 8.6 metres from the western boundary and 1.4 metres from the eastern boundary. Given its limited height and the presence of established boundary treatments, particularly to the east, the terrace is not considered to give rise to any material overlooking or loss of privacy to neighbouring occupiers above the existing situation.

In addition, two windows are proposed within the eastern elevation serving bedrooms. These are designed as high-level windows and, when taken together with the existing boundary screening, would not result in harmful overlooking towards the occupants of No.255. On this basis, it is considered that the proposal would maintain an acceptable level of privacy for neighbouring properties. These bedrooms are served by other windows with the high level windows being a secondary source of light.

In terms of overshadowing, overbearing impact, and loss of light, the proposal would introduce additional built form to the eastern side of the application site. It is acknowledged that No.255 is a single-storey property and that the proposed development would present as a two-storey addition when viewed from this direction. However, the relationship between the properties is already moderated by the presence of established boundary vegetation, including hedging and trees, which provide a degree of screening. Furthermore, the elevation of No.255 facing the application site is largely blank, with no primary windows affected. Taking these factors into account, it is considered that the proposal would not result in a significant increase in overbearing impact or lead to unacceptable levels of overshadowing or loss of light beyond the existing situation.

Although the neighbouring windows are not illustrated on the plans, an assessment using the 45-degree guideline has been undertaken. When measured from the rear corner of the proposed extension to the boundary, the development would not cut a 45 degree line. As such, the proposal would not result in a harmful loss of daylight or sunlight to any habitable rooms at the neighbouring property.

Overall, the development is therefore considered to be acceptable in terms of its impact on neighbouring amenity.

The detached garage is of a single storey height and would be in proximity to the dwelling to the east. Having regard to its size, scale and siting in relation to the property to the east it is not considered the detached garage would have a material impact in terms of overshadowing or being an unduly oppressive feature in relation to the outlook from the property to the east.

Furthermore the only opening is a vehicular door facing the host property, as such it would not lead to significant overlooking of the property to the east.

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 of the National Planning Policy Framework.

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 proposed development would not result in an increase in the number of bedrooms within the dwelling which would remain at 4. The scheme includes the demolition of the existing garage and its replacement with a double garage, alongside the provision of a front driveway. The submitted details have been reviewed by KC Highway Development Management, who have raised no objection to the proposal. This is subject to a planning condition requiring appropriate surfacing materials, as well as an informative relating to the provision of a dropped kerb. On this basis, the proposal is considered acceptable in highway and access terms.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

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 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework are 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 alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, 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.

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 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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

6 – Representations:

None received

7 – 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 that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/93345

Officer Recommendation: Approve

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 approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded. The development shall be retained as such.

Reason: In the interests of highway safety and to ensure that the additional hardstanding is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan, Key Design Principle 14 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and Chapter 14 of the National Planning Policy Framework.

NOTE: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

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:-

Plan Type	Reference	Version	Date Received
Existing Plan, Elevations and Location Plan	2582 - 0101 - R01	-	04/12/2025
Existing Location Plan & Block Plan	2582 - 0302 - R04	-	27/02/2026
Proposed Plan and Elevations	2582 - 0301 - R06	-	27/02/2026
Design & Access Statement	-	-	04/12/2025
Climate Change Statement	-	-	04/12/2025
Application form	-	-	04/12/2025

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 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. Officers initially raised concerns regarding the siting of the proposed garage. Amended plans received on 27 February reposition the garage further away from the highway. These revisions were considered acceptable and the application has therefore been progressed to determination on the basis of the amended plans.

Low coal