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:	**2025/62/93392/W**
Site Address:	28, Ings Way East, Lepton, Huddersfield, HD8 0DT
Description:	Erection of two storey side extension, single storey rear extension and rear dormer extension
Recommending Officer:	Morgan Braithwaite

DECISION – FULL CONDITIONAL 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: 31-Mar-2026

OFFICER REPORT

Site Description

28, Ings Way East, Lepton, Huddersfield, HD8 0DT is a two-storey semi-detached dwelling faced in red brick. The property benefits from parking provision to the front (south) with an area of amenity space to the rear.
The dwellings which form the street scene are similar in scale, appearance and material palette.
The area is predominantly residential with access to local amenities.

Description of Proposal

The applicant seeks permission for the erection of a two-storey side extension, single storey rear extension and rear dormer extensions. It is noted that the site currently has a single storey rear extension which projects 4.5m and spans a width of 5.4m; this extension is set in from the boundary with the adjoining dwelling by 0.3m and set in from the existing side elevation by 2.8m. The existing side extension is also single storey projecting 2m and spanning 6.8m, as well as being set back from the principle elevation by 1.9m.
The proposed rear extension is to retain the existing projection of 4.5m, however it will extend 9.2m across the rear. This element of the proposal shall feature a flat roof with a maximum height of 2.6m. Two roof lanterns shall also feature, with a height of approximately 0.3m. A new window and sliding double doors shall feature in the rear elevation.
The proposed side extension shall see an increase in width to 3m and increase in length by 2.5m; the side extension is to be set back from the principle elevation by 0.3m. The side extension shall see an increase in height to a maximum of 7.9m to match the existing ridge height of the host dwelling. Two obscure glazed windows are to feature in the side elevation, along with the addition of a window towards the principle elevation.
The rear dormer is to span 5.6m and have a height of 2.1m, while projecting 2.2m beyond the roof plane of the host property. Two windows shall feature in the rear elevation.
The materials proposed are to match that of the existing.

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
No relevant planning history.

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: 16th February 2026
Representations have been made, objecting to the application:

- Line on the plans
- Lack of access to the rear of the property
- Gate
- Wall

Kirkburton Parish Council were notified of the proposal. No comments were received.

Consultation Responses
No consultations have been requested as part of the planning process.

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.

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.

- Chapter 12 – Achieving well-designed and beautiful places

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

1) Impact on visual amenity

2) Impact on residential amenity

3) Impact on highway safety

4) Other matters

5) Representations

6) Conditions

7) 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”.

While there are elements of the proposal which do not comply with the HEASPD, all can be justified by site specific circumstances.

The proposed rear extension has an existing projection of 4.5m; the proposed plans shall retain this projection and see an expansion in the extension’s length. The HEASPD stipulates that a rear extension to a semi-detached dwelling should project no more than 3m subject to other considerations and justifications. In this case, the existing extension projecting 4.5m provides mitigation.

When considering side extensions, consideration should be given to the access to the rear of the property and bin storage. However, due to the site-specific circumstances, namely the angle of the property, the retention of access to the rear would not be possible. Furthermore, it has been observed that bins are currently stored to the front of the property.

While rear dormers are not present within the street scene, there are loft conversion and roof light additions in the street. Furthermore, many of the dwellings feature solar panels.

Therefore, in this instance, due to the site-specific circumstances, the principle of development can be supported subject to other material considerations.

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.
The applicant seeks permission for the erection of a single storey rear extension, a two-storey side extension and rear dormer. The form scale and layout of the development retain the character of both the host dwelling and wider street scene. The development, on balance, is considered to form subservient additions to the host. The proposed materials are to match that of the existing dwelling. Sufficient amenity space shall be retained to the rear of the property, however, due to the angle of the site, access to the rear of the property shall be lost.
The SPD sets out that space to the boundary should be maintained to avoid overdevelopment as well as terracing impact where buildings are closely spaced. In this specific case due to the existing brick wall to the side as well some degree of infill is already visible. Furthermore, as the angling of the host and its neighbour a terracing impact will be avoided. Similarly, the extension to the side is not set down appearing flush with the existing building. This can be supported in this instance due to the layout and positioning. Whilst access will not be maintained it is noted that the bins are already stored to the front of the property and this will remain unchanged.
The dormer and rear extensions are appropriately designed and of a scale that can be supported when taking into account the size of the plot and host building. The dormer is set within the roof plane of the existing property reducing its impact on the development as a whole. It is set up from the eaves and down from the ridge to ensure the existing roof remains visible.
Having taken the above into account, the proposed extensions 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 designs 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.”

No.26 is the adjoining property to the west of the application dwelling. The extension of the rear extension is deemed to have very little impact on no.26 due to the existing rear extension on number 26 mitigating impact. The rear dormer would have limited impact due to its scale and location on the roof plane. The proposed two-storey side extension is not deemed to present any impact due to its location to the east of the application property; therefore, the application property screens the side extension from no.26. New windows would not have any greater impact, in terms of overlooking, than the existing.

No.30 is located to the east of the application property, however, it is noted that there is a splayed relationship between the dwellings as the application property is located on a corner plot of the housing development. The dwellings are separated by 2.4m at the narrowest point and 6.9m at the widest point of separation. Due to this relationship the side and rear extensions as well as the rear dormer would not present any issues in terms of appearing overbearing or overshadowing. New windows would not result in any detriment to the occupants due to their positioning. Those proposed in the side are shown to obscurely glazed.

Other dwellings within the area may have visibility of the development but there would be no adverse impacts of the extensions.

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 Principals 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 would see the intensification of the use of the property, with the addition of a fourth bedroom. No alterations are to be made to the existing parking provision. It is also noted that bins are currently stored to the front of the property. The property already presents sufficient parking provision for three vehicles as required.

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

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: 16th February 2026

Representation has been made, objecting to the application.

- Line on plan

RESPONSE: The line referenced appears to be an anomaly on the plans and does not indicate development.

- The objection raises further concern to the lack of access to the rear of the property.

RESPONSE: Whilst access is not maintained to the rear of the property this in not considered to result in any material planning harm. The bins are stored to the front and this will remain, unchanged.

- The adjoining wall which houses my wrought iron gate. Not shown on the plans and what are the proposals for this.

RESPONSE: The plans show a two-storey side extension in place of the front wall. The existing wall is not shown on the plan and it is unclear whether the extension will provide appropriate fixings to continue the gate arrangement. This is a private matter between the two parties. Planning permission does not override any private arrangements.

- The dividing wall of the two properties. Not shown on the plans and what are the proposals for this.

RESPONSE: The plans show a two-storey side extension in place of the front wall. The existing wall is not shown on the plan. The front wall appears to be removed and replaced by the side extension. Planning permission is not required for its removal. This is a private matter between the two parties. Planning permission does not override any private arrangements. The plans have been assessed accordingly.

- Doesn't state how close to my property the extension at the side will be built.

RESPONSE: The plans submitted are scaled to allow for assessment. The extension is shown approximately 20cm at the front pinch point.

Kirkburton Parish Council were notified of the proposal. No comments were received.

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

9) Conclusion

The application to erect a two-storey side extension, single storey rear extension and rear dormer at 28, Ings Way East, Lepton, Huddersfield, HD8 0DT 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: 2025/93392
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 facing and roofing materials of the extensions hereby approved shall in all respects match those used in the construction of the existing building where possible or if not matching the existing, materials should match those submitted
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: -

Plan Type	Plan Reference	Version	Date Received
Grouped Plans and Elevations	TR-A25-1101-001	-	09.12.2025
Grouped Plans and Elevations	TR-A25-1101-002	-	09.12.2025
Grouped Plans and Elevations	TR-A25-1101-003	-	09.12.2025
Grouped Plans and Elevations	TR-A25-1101-004	-	09.12.2025

Grouped Plans and Elevations	TR-A25-1101-005	-	09.12.2025
General	Climate Change Statement	-	15.12.2025

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.
No alterations have been sought since submission as the proposals were considered to be acceptable in their original form.

Report Dated: 27th March 2026