

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:	2026/62/90035/W
Site Address:	4, Rushfield Vale, Fenay Bridge, Huddersfield, HD8 0BX
Description:	Erection of single storey rear extension and raised decking area
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: 11-Mar-2026

The Site

4 Rushfield Vale is a part single-storey, part two-storey mid-terrace dwelling situated in Fenay Bridge, Huddersfield. The property is constructed in stone with a pitched roof finished in concrete interlocking tiles.

An integral garage forms part of the frontage, which faces directly onto Rushfield Vale, while the rear of the site is enclosed by Fenay Bridge Road. The plot sits in an elevated position above Fenay Bridge Road, with a west-facing rear garden that slopes down towards the road.

The site is unallocated on the Kirklees Local Plan map.

The Proposal

The applicant is seeking planning permission for erection of single storey rear extension and raised decking area.

The extension projects 3m from the rear and extends 4.8m in width. It is designed with a pitched roof measuring 3m to the eaves and 4m to the ridge. The proposed materials are stone for the walls and interlocking tiles for the roof.

Internally, the extension will function as a living room. A door and small window are proposed on the side (north-facing) elevation, with an additional window to the rear elevation. Two rooflights are proposed on each roof plane.

The raised deck area adjoins the rear extension to the north, measuring approx. 3m x 3.3m, and it would lie flush with the projection of the rear extension. The submitted elevations indicate the decking would be raised 0.6m from the ground.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Planning History

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

- 2025/93059 – Certificate of lawfulness for proposed erection of single storey rear extension, alterations to convert garage to living accommodation and external alterations – Granted/Refused

The development the subject of this application was submitted as part of application 2025/93059. It is noted that application 2025/93059 determined

that the garage conversion and external alterations benefit from a general planning permission granted by virtue of Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

- 88/04187 – Outline application for residential development – Granted Conditionally
- 89/00951 – Erection of 13 no dwellings and garages – Granted Conditionally

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: 5 March 2026.

Kirkburton parish Council have confirmed they have no comments to make regarding the proposal.

Consultations

No consultations were requested for this application.

Allocation & Policies

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 within the Local Plan.

The site does fall in an area identified as being at higher risk of land movement as a result of former mining activity and as being in proximity to potentially contaminated land. The site is 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:

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- 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).

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.

The site has a dual aspect in relation to the highways to the front and rear of the dwelling. The proposal would be to the elevation which would be considered the rear given the other elevation is from which vehicular / pedestrian access to the site is taken.

Single storey rear extension

Section 5.6 provides the following guidelines for single storey rear extensions:

5.6 Single storey extensions should:

- be in keeping with the scale and style of the original house;
- not normally cover more than half the total area around the original house (including previous extensions and outbuildings);
- not exceed 4 metres in height;
- not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;
- where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge

The proposed rear extension is considered to appropriately conform to the recommendations / principles as set out in the SPD. Although it has been acknowledged that the rear extension is not set 1 metre away from the neighbouring boundary to the south, with only a gap of 0.2 metres to be retained, as the side elevation of the building to be extended is sited along the shared boundary, it is considered there would be no design benefit in setting the extension in by a whole metre and it would be unreasonable of the LPA to request such an amendment in this case.

From a visual amenity perspective, the proposed single-storey rear extension at 4 Rushfield Vale is considered to read as a subservient addition that accords with the size and scale guidance set out in the SPD. Although positioned to the rear, this elevation is visually prominent due to its elevated setting and its relationship with Fenay Bridge Road. Even so, officers consider that the proposal's sympathetic design, including the use of materials that match the host dwelling and fenestration that reflects the original architectural style on both the rear and side elevations, ensures the character of the dwelling is preserved and the extension would not result in an obtrusive addition that harms the character of the area. The projection would lie flush with the rear elevation of the adjoining neighbour No.2, therefore it would not encroach beyond the existing building line fronting Fenay Bridge Road. The pitched roof form further reinforces consistency with the design of the existing house.

It is noted a number of additions to other neighbouring properties have been undertaken to the same elevation, there is no consistent building line which the development would clearly break and the proposal is considered to have an acceptable visual appearance in this case on the basis it would be constructed from matching materials.

Raised decking area

The raised decking forms a modest and subordinate addition to the rear of the property. It sits between the proposed rear extension and the neighbouring porch to the north, being 0.6 m above ground level and enclosed on its northern edge by a 1.8 m boundary fence. The decking does not extend beyond the rear elevation of the extension, ensuring it remains contained within the established rear building line fronting Fenay Bridge Road. Taken together, these factors mean the structure reads as a modest, domestic feature rather than a visually prominent or intrusive element. Its limited height and restricted footprint in relation to the host dwelling ensure that it does not compete with or overwhelm the original building. Because it is set well back from the public realm and screened from the highway, it avoids any material impact on the street scene or the wider character of the area.

In visual amenity terms, the decking is therefore considered an appropriately scaled and sensitively positioned addition that preserves the appearance of the dwelling and maintains the character of the locality.

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 advice 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.”*

2. Rushfield Vale

Adjoining neighbour to the north.

The decking would sit directly alongside the neighbours boundary, with the rear extension itself positioned a further 3.2 m away. A 1.8 m boundary fence is proposed along the northern edge of the decking to provide effective screening. Although an existing hedge currently separates the porch from the application site, the plans indicate this would be removed to facilitate the development. Its removal does not significantly alter the relationship between the two properties, as the replacement boundary treatment would provide a comparable level of screening. The introduction of a solid 1.8 m screen fence in this location is not considered to harm the living conditions of the occupants of No. 2 given the main outlook is to the west and the screen fence does not protrude beyond the western elevation of no.2. The decking itself is modest in scale, being 0.6 m above ground level, and the extension is set back sufficiently to avoid creating any sense of enclosure.

Taken together, the limited height, proposed screening, and separation distance ensure that the development would not give rise to undue overlooking, overbearing effects, or overshadowing. The proposal therefore maintains an acceptable standard of amenity for neighbouring occupiers and complies with relevant local and national policy requirements.

6, Rushfield Vale

Adjoining neighbour to the south.

The decking would be screened by the rear extension, therefore this element of the proposal is considered to have an acceptable impact upon No.6's amenity.

The extension projects 3m along the shared boundary. The siting of this is adjacent to adjoining neighbour, and would be adjacent to patio doors which form a main habitable opening. The proposal would lead to a level of impact to this ground floor opening.

The orientation of the site is such that the overshadowing impact is lessened with the proposal being sited north of the patio door, furthermore the level of projection and size of the opening it is adjacent to within no.6 is such that it is concluded that whilst a 45 degree line would be cut by the proposal (with approx. 1.4m of the side elevation in place beyond the point it is cut) it is considered this would not be of such a significant extent that refusal on the basis of overshadowing could be substantiated in this case when considering the orientation of the site and scale and design of the proposal. The eaves level of the proposal would be at a height whereby they are at the same level as the top of the patio door, and the roof slope moving away from the shared boundary. In this context the extent of built form is not considered to unacceptably overshadow the neighbouring occupier and would not be unduly oppressive / overbearing.

The proposal would retain a usable area of amenity space for future occupiers of the development upon the decking and remaining garden space.

It is therefore considered that in terms of residential amenity, the proposed would be acceptable having regard to policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and policies 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 increase the number of bedrooms on site, and it is considered the number of occupants within the dwelling would remain as existing. With this being the case, proposed parking arrangements are considered to be acceptable. The proposal does not propose any changes highway access. It is therefore considered that the proposal is acceptable in relation to highway safety.

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: 2026/90035

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 external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

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
Drawing titled OS_PLAN	0100	-	07/01/2026
Drawing titled Existing_Info	0101	-	07/01/2026
Drawing titled Planning_Info	0201	-	07/01/2026
Application form	-	-	07/01/2026
Climate Change Statement	-	-	12/01/2026

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

High coal