

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:	2026/62/90043/W
Site Address:	The Cherries, 8, Rossefield Avenue, Birkby, Huddersfield, HD2 2BR
Description:	Erection of two storey side and single storey rear extensions
Recommending Officer:	Elenya Jackson

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 26-Mar-2026

OFFICER REPORT

Site Description

The application property is a large, two storey detached dwelling which is situated on the eastern side of Rossefield Avenue, located off of Birkby Hall Road. The property is not highly visible from the public realm due to its location at the end of Rossefield Avenue and the distance of the property from the entrance.

Although not uniform in appearance, the dwellings in the immediate vicinity are well spaced in their plots and contribute to the spacious character of the area.

The site is located in a cluster of two other properties which is set behind a perimeter wall off of Rossefield Avenue.

The site is not within a Conservation Area and has not had its permitted development rights removed; however, it is within an area with a known presence of bats and an area identified by the Mining Remediation Authority as being at lower risk of ground movement as a result of former mining activity.

Description of Proposal

The application has been received for the erection of two storey side and single storey rear extensions.

The existing dwelling has a single storey projection on its southern elevation. The two storey side extension would project 8.8m beyond the existing two storey element of the dwelling to the south. This would feature a gable end with a maximum height of 7m and an eaves height matching the existing dwelling.

The single storey rear alterations would include the addition of a lean-to roof over the existing rear elevation of the property and the replacement of an existing orangery with a single storey hipped roof extension. This would extend 4.8m beyond the rear elevation of the host property and have a width of 5.5m and a maximum height of 3.6m.

The proposal would be constructed with brick.

Relevant Planning History

N/A

History of Negotiations

No alterations were requested during the course of the application.

Representations

The application was advertised by site notice which expired on 19.03.2026.

No representations have been received as a result of site publicity.

Consultation Responses

N/A

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees Local Plan. On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Kirklees Local Plan Policies

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

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As

such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, and the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the historic environment

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.

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.

As such, 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.

These issues along with other policy considerations will be addressed below.

2) Impact on visual amenity

Key Design Principle 1 of the House Extensions and Alterations supplementary planning document (SPD) state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area of the street scene. Furthermore, Key Design Principle 2 of the HEASPD goes onto state that extensions should not dominate or be larger than the original dwellinghouse and should be in keeping with the existing building in terms of scale, materials, and details.

There are two key elements to the proposal which are as follows:

First floor side extension

Section 5.3, paragraph 5.22 of the House Extensions and Alterations SPD refers to two storey and first floor side extensions and states that:

- Extensions should be visually smaller than the existing house
- Be set down and back from the host dwelling by 50cm
- Have a roof design that follows the existing roof
- Retain a spacing of 1m from shared boundaries

It is considered by officers that the width of the first floor side extension is somewhat pre-determined by the width of the existing ground floor extensions. Which, although large in scale, would be in-keeping with the host dwelling. The proposed extension would be constructed out of materials matching the host dwelling which would aid integration with the host property and balance existing projections on site. As previously indicated, the dwelling is a stand alone property and its vernacular is not uniform with other properties in the vicinity; therefore, some variance in its design would not be out of keeping in the context of the area. Furthermore, due to the spacious plot and its separation from the public realm, an extension of a larger scale can be accommodated without impacting on visual amenity.

Rear Extension

The proposal also includes the re-roofing of a rear projection on site and the replacement of an orangery with a single storey rear extension.

Section 5.5 of the House Extensions and Alterations SPD refers to rear extensions and states that 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 rear extension would project 90cm further than the dimensions stipulated within the SPD; however, officers consider that the property benefits from ample amenity space and in the context of the site, the additional depth would be marginal in this instance.

It is considered that the existing property is well spaced within its plot and could accommodate an extension of this scale whilst respecting the character of the host property and wider locality

Cumulative Impact

Whilst the extensions proposed would see additional bulk and massing than that of the host property, it is considered this would not be to such a degree that refusal of permission could be substantiated taking account of the context of the site and spaciousness of the plot within which it is proposed.

Having taken the above into account, the proposed development would not cause 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.

3) 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 proposal should promote good design by, amongst other things, minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect of Key Design Principle 3 on privacy, Key Design Principal of overshadowing/loss of light, Key Design Principal 6 on preventing overbearing impact and Key Design Principal 7 for outdoor space.

10 Rossefield Avenue: Adjoins the application site to the north.

Overlooking: The two storey element of the proposal would be screened by the host dwelling and the single storey rear extension would be set a reasonable distance away from the shared boundary between the dwellings to not raise any significant concerns regarding overlooking.

Overshadowing/loss of light/overbearing: The main extent of the increase in the scale of the dwelling would be screened by the existing property and therefore would not raise any significant issues regarding overshadowing/loss of light or overbearing.

13-15 Oakfield Road: Adjoins the application site 23m to the east which is the rear.

Overlooking: The proposal would introduce rear facing windows at first floor level on the southern elevation of the site. It is considered that the windows would have an offset relationship with the rear of these properties and would retain the existing separation distance. Therefore, no significant issues would be raised regarding overlooking.

Overshadowing/loss of light/overbearing: Due to the separation distance between the properties, no significant issues would be raised regarding overshadowing/loss of light or overbearing.

Due to the separation distance between other properties in the vicinity, no other dwellings would be impacted by the proposal.

4) Impact on highway safety

It is considered that no significant issues would arise as a result of the intensification of the site as reasonable parking provision would be retained and the proposal would comply with Policy LP21 and 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

The proposal is a small-scale 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.

6) Representations

No representations have been received as a result of site publicity.

7) Proposed conditions

Standard time scale

In accordance with the approved plans

Matching materials

9) 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. 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: 2026/62/90043/W

Officer Recommendation: Approve

Conditions 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.

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications 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 Policies LP1, LP2, LP22 & LP24 of the Kirklees Local Plan, Principles contained within the House Extensions and Alterations SPD and policies contained within Chapters 12 and 15 of the National Planning Policy Framework.

2. The development shall be constructed with all external facing materials matching the original host dwelling in all respect and which shall be retained thereafter.

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 Policies LP1, LP2, LP24 of the Kirklees Local Plan, Principles 1 and 2 of the House Extensions and Alterations SPD and policies contained within chapters 12 and 15 of the National Planning Policy Framework

Plans and specifications schedule: -

Plan Type	Reference	Date Received

Location Plan and Site Plan	UD-602	30.01.2026
Existing Front and Rear Elevations	UD-602	30.01.2026
Existing Side Elevations	UD-602	30.01.2026
Existing Ground Floor Plan	UD-602	30.01.2026
Existing First Floor Plan	UD-602	30.01.2026
Proposed Front and Rear Elevations	UD-602	30.01.2026
Proposed Side Elevations	UD-602	30.01.2026
Proposed Ground Floor Plan	UD-602	
Proposed first floor plan	UD-602	30.01.2026
Climate Change Statement		30.01.2026

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 Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. No alterations have been sought as none were considered necessary.