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:	**2026/62/90432/W**
Site Address:	19, Ellison Street, Crosland Moor, Huddersfield, HD4 5DS
Description:	Erection of side and rear extensions
Recommending Officer:	Joshua Merriman

DECISION – Refused

I hereby authorise the refusal 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: 15-Apr-2026

Officer Report – 2026/90432

Site Description

The application site refers to 19, Ellison Street, a two-storey semi-detached property faced in natural stone, with a pitched tiled roof, and uPVC windows and doors. The application property lies in a slightly varied street scene, surrounded by properties of differing sizes, scales, characters, appearances, and ages. Furthermore, the property benefits from a hard-standing parking area to the front, behind large retaining walls and a sliding gate, as well as garden space and a shed to the rear.

Description of Proposal

The Scheme

The application is seeking planning permission for the erection of side and rear extensions. The proposal also includes alterations to the existing front elevation to include ground to roof windows on the gable projection.

The application involves the erection of a two-storey side extension, as well as a single storey rear extension and a gable end style addition to the rear of the first floor.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

- Climate Change Statement

History of Negotiations / Amendments Received

No amendments have been requested by Officers as any to render the scheme would be too substantial and not minor as per the Development Management Charter.

Relevant Planning History

There is no relevant planning history at the application site.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2024).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 11/04/2026.

No representations received.

Consultation Responses

No consultations considered necessary.

Allocation and Policy

The site is unallocated within the Kirklees Local Plan (adopted 2019). The site is also located within an area with swift nesting records.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

LP1 Achieving Sustainable Development
LP2 Place Shaping
LP21 Highway and Access
LP22 Parking
LP24 Design
LP30 Biodiversity and Geodiversity

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, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

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

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

Chapter2 Achieving sustainable development
Chapter12 Achieving well-designed places
Chapter14 Meeting the challenge of climate change, flooding and coastal change
Chapter15 Conserving and enhancing the natural environment

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)
House Extensions & Alterations SPD (adopted June 2021)
The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.
The Conservation of Habitats and Species Regulations 2017

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

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Other matters – e.g. trees/ecology (e.g. bats)
6. Representations
7. Conclusion

1 – Principle of Development

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.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Policy LP2 of the KLP sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

The dimensions of sustainable development will be considered throughout the proposal.

In terms of extending and making alterations to a 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 material planning considerations, including visual and residential amenity, as well as highway safety.

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

Considering the above policy, the principle of the development is considered to be acceptable.

2 – Impact on character and appearance of the area

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *'the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape'.*

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.

Guidance within sections 5.1, 5.2, 5.20, 5.6, and 5.8 of the Councils House Extensions and Alterations SPD is considered relevant.

Given the contemporary style of the proposed extensions, using glass facades, breeze block, and render rather than stone and pebbledash to match the existing building, it is considered that the proposed frontage of the property, and two storey side extension would appear unsympathetic to the host property or the surrounding street scene, which is characterised by traditional properties, most of which are bungalows.

Furthermore, by virtue of these contemporary extensions, the additions to the application property would result in unbalancing a pair of semi-detached properties, with the application property and adjoined dwelling appearing different in character and appearance, thus negatively impacting the surrounding street scene.

Due to the wraparound style of the extension, the rear extensions would not be visible from the front of the property and therefore could be considered acceptable regarding visual amenity, however, on balance the detrimental impacts caused by the two-storey side extension and alterations to the frontage of the property are so substantial to render the entire scheme unacceptable.

It is therefore considered that in terms of visual amenity, the proposed would not 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, and Paragraph 135, of the National Planning Policy Framework.

3. Impact on Residential Amenity

Sections B and C of LP24 states that alterations to existing buildings should:

"…maintain appropriate distances between buildings' and *'…minimise impact on residential amenity of future and neighbouring occupiers."*

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

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.

Guidance within sections 5.1, 5.2, 5.20, 5.6, and 5.8 of the Councils House Extensions and Alterations SPD is considered relevant.

The proposal will involve the installation of floor to ceiling windows to the front elation on the proposed side extension and also on the existing gable projection. This will see an expansive area of glazing to the front elevation. These windows also appear to have the ability to fully open, being bi-folding. Whilst there is existing fenestration on the front elevation at present, this will see an increased amount of glazing. However, the distance between the properties is such that any adverse issues will be insignificant to that which currently exists and is considered on balance to be acceptable in this instance.

The proposed side and rear extensions, given their wraparound nature, would provide no external access to the rear garden on site, and would not retain a 1m gap to the neighbouring property to the East. As this neighbouring dwelling is a bungalow, it is also considered that there would be overshadowing impacts upon the rear amenity space and Western facing openings throughout the afternoon given the scale of the proposed extensions in comparison to the single storey property.

Although the rear facing openings in the single storey rear extension and first floor gable end are only 13m away from the closest neighbouring property to the North, it is considered that these will not cause any additional overlooking or impacts upon privacy than what is already present via openings in the rear elevation of the application property.

Despite this, the overshadowing and overbearing impacts onto No. 21 are considered significant and it is therefore considered that in terms of residential amenity, the proposed would not 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, and Paragraph 135, of the National Planning Policy Framework.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and 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.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

It should be noted that although nothing specific is detailed on the submitted plans, the site will retain adequate space for waste storage.

The number of bedrooms in the property will not increase as a result of the development, and the on-site parking provision will remain unaffected, therefore, the current parking provision is considered acceptable to remain as it currently meets the increased demand that will be necessary post-development.

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. 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 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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not

have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Other Matters

Impact upon Ecology

Chapter 15 of the National Planning Policy Framework is 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 swift nesting area, the proposals are relatively modest, and in this case being for a single storey extension would not impact upon the existing roof space which has the potential for providing a nest for swifts. Therefore it is considered unlikely that the proposals would have a significant impact on the swift population. An informative would be included making the applicant aware that if swifts 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. Subject to informative the proposal is considered to be acceptable in this regard.

7. Representations

No representations have been received.

8. 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, the proposed development would not constitute sustainable development and is therefore recommended for refusal.

Recommendation **REFUSAL**

Decision Authorisation: Delegated Powers

Application Number: 2026/90432

Officer Recommendation: Refusal

Reasons for Refusal

1. The proposed development, by reason of its form, massing, materials and architectural detailing, would appear visually incongruous and unsympathetic to the host property and the established character of Ellison Street, whilst also disrupting the visual coherence of the semi-detached pair of properties, resulting in an unbalanced relationship that would be harmful to the appearance of the street scene and fail to comply with Policies LP1, LP2, and LP24 of the Kirklees Local Plan and Policies within Chapters 2 and 12 of the National Planning Policy Framework.

1. By virtue of its scale, height, proximity, and orientation relative to the neighbouring bungalow at No. 21 Ellison Street, the proposed development would result in unacceptable overshadowing and overbearing impacts, causing harm to the residential amenity of the neighbouring occupiers, and would therefore be contrary to Policies LP1, LP2, and LP24 of the Kirklees Local Plan and Policies within Chapters 2 and 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	**Reference**	**Version**	**Date Received**
Location Plan, Site Plans & Streetscene	PAD.220.269	-	18/02/2026
Existing Floor Plans and Elevations	PAD.220.266	-	18/02/2026
Proposed Elevations	PAD.220.268	-	18/02/2026
Proposed Floor Plans	PAD.220.267	-	18/02/2026
Application Form	-	-	18/02/2026
Climate Change Statement	-	-	18/02/2026

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 beyond the scope of amendments as per the Development Management Charter.

Report Dated: 07/04/2026