

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:	2026/62/90976/W
Site Address:	21, New Hey Road, Marsh, Huddersfield, HD3 4AL
Description:	Erection of two storey rear extension and first floor side extension with car port below
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: 17-Jun-2026

The Site

21, New Hey Road is a semi-detached two storey property located in Marsh. The ground floor is constructed with stone with pebble dash render for the first floor. To the front of the property is a bay window with canopy above, and the property benefits from a driveway to the front and large lawned garden to the rear.

The site is located within a predominantly residential area. Adjacent to the site are similar semi-detached dwellings with a row of terraces opposite the site.

The site is unallocated on the Kirklees Local Plan map. It is not within a Conservation Area and there are no Listed Buildings nearby.

The Proposal

The applicant is seeking planning permission for erection of two storey rear extension and first floor side extension with car port below.

Two storey rear extension

At ground level, the extension projects 4m from the rear elevation and extends 5.6m in width. The ground floor is designed with a shallow lean-to roof, measuring around 2.8m to the eaves and 3.2m to the ridge. The materials of construction for the ground floor element of the rear extension would be stone.

The first floor is smaller in width and projection, measuring approximately 1.3m in depth, 2.7m in width, and 5.3m in height. This element is designed with a flat roof and finished in stone to the ground floor and a cream render colour finish to the first floor.

With regard to fenestration, sliding doors are proposed to the rear elevation of the ground floor and one window is proposed to the rear elevation of the first floor.

Internally, the development provides a sun room to the ground floor and a bathroom to the first floor. The development would take the total number of bedrooms to 5.

First floor side extension with car port below

The first-floor extension spans the full depth of the host property, measuring approximately 7.8 m in depth and 3.6 m in width, with a height of 5.4 m to the eaves and 7.9 m to the ridge.

The first floor extension is set back 0.3 m from the host dwelling's front elevation and finished in a cream-coloured render, with a hipped roof tiled to match the existing property.

The ground floor remains open, creating a 3.1 m by 2.8 m void that provides a dedicated parking area. The first floor would be supported by two stilts positioned at the front and rear of the extension, leaving the side elevation fully open beneath.

History of Negotiations

Minor amendments were made to the material proposed to elevations to ensure that the proposal would adequately harmonise with the host. The amended plans also demonstrated a revised roof design to the side extension and also reduced the size of the first floor element of the two storey extension to rear. Amended plans were received on 5 June, and the application has been progressed to determination on the basis of these.

Planning History

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

2023/93528: Erection of two storey rear extension and front porch – Conditional full permission granted 26th April 2024.

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: 16 May 2026.

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

No statutory 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).

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)
Kirklees Highway Design Guide (November 2019)

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 for 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 rear extension

Paragraph 5.8 of the House Extensions and Alterations SPD sets out that generally two storey rear extensions should meet the following:-

- be proportionate to the size of the original house and garden;
- not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);

- not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;
- not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary;
- be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre; and
- not adversely affect habitable room windows where they adjoin a neighbour's boundary.

The proposed rear extension has been reduced in scale from the scheme previously approved under reference 2023/93528. The extension, when considered alongside the existing outbuilding, would occupy well below 50% of the available garden area. The remaining outdoor space would continue to provide a generous and functional garden, ensuring the development does not appear cramped or constitute overdevelopment of the site.

In terms of layout, the ground-floor element would be positioned along the shared boundary, however the first-floor element would be set approximately 3.7 m away from the boundary with 23 New Hey Road. This arrangement ensures the extension reads as proportionate and avoids an overbearing relationship with the neighbouring property in accordance with the guidance above. For the above reasons, the proposed rear extension is considered proportionate to the scale and form of the original dwelling. Its massing ensures it would sit comfortably against the host building without appearing overly dominant or creating an overbearing presence. The extension would read as a coherent addition that respects the proportions of the existing property and maintains an appropriate relationship with the surrounding plot.

The proposed materials comprise natural stone at ground-floor level with a cream-coloured render to the first floor. These materials reflect those used on the host dwelling and would ensure the extension integrates well with the existing building. The ground-floor roof would take the form of a lean-to, while the first-floor roof would be flat. Although a flat roof is not a preferred design approach, the presence of the existing rear dormer on the host property limits the feasibility of achieving a roof which ties into the rear roof slope. The first floor element of the proposal is of a limited scale and not in a prominent part of the site, largely screened by the main public vantage points by the host property. In this context, the flat-roofed design is considered a practical and visually acceptable solution in this case. Weight is also afforded the fact that the proposal would see a hipped roof design to the first floor side, this will see a pair of semi detached properties which currently have a gable and hipped roof, harmonise in terms of both having hipped roof designs.

The extension would be located to the rear of the property and would be largely screened from public viewpoints when viewed from the front. Some visibility would be possible from oblique angles along the side elevation; however, given the modest scale of the development and the use of materials that match the host dwelling, it is not considered that the proposal would result in any harmful impact on the wider street scene.

First floor side extension with car port below

Section 5.21 and 5.22 of the Extensions SPD relates to first floor side extensions and provides the following guidance:

“5.21 Spaces between houses, including driveways, are important in providing a sense of space, local character and attractive appearance of an area and should be retained. Two-storey and first floor side extensions can cause a negative impact on the street when used to close the gap between semi-detached or detached houses.

5.22 Two-storey and first floor side extensions should:

- ideally be visually smaller in relation to the original house;*
- be set back at least 500mm from the front of the original house to provide a vertical break from the roof plane and for the lowering of the ridgeline from the original house;*
- have a roof design that follows the form of the existing roof; and*
- retain a gap of at least 1 metre to boundary walls to avoid a terracing effect and to retain rear access to gardens.”*

The proposed side extension would appear visually subordinate to the original dwelling, with its overall massing noticeably smaller than that of the host property. A set-back of approximately 300 mm from the front elevation would provide a clear visual break, helping to distinguish the extension from the main form of the house. The hipped roof design, together with a lowered ridgeline, reflects the character of the semi-detached pair and ensures the extension reads as a secondary element rather than competing with the host in scale or prominence.

Although the development would not retain a 1 m separation to the side boundary, the relationship with neighbouring properties is such that this does not give rise to a terracing effect. The dwelling to the east (19 New Hey Road) sits at an oblique angle relative to the application site, meaning the extension would not visually merge with neighbouring built form. The proposed set-back and set-down further assist in maintaining a sense of spacing between properties and avoiding any perception of a terraced frontage. The proposal is open sided at the ground floor level allowing for access to remain possible.

The use of cream render would match the existing finish of the host dwelling, ensuring the extension integrates well with the appearance of the property.

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.”*

The properties potentially affected by the proposed development are those which directly neighbour the site, these being:

19, New Hey Road

In terms of overlooking, the proposal would not introduce any additional openings facing No.19. As such, the development would not create any new opportunities for direct views into neighbouring habitable rooms or private garden areas. The level of privacy experienced by the occupiers of No.19 would therefore remain unchanged from the existing situation.

With regard to overshadowing and overbearing effects, the extension would introduce additional massing at first-floor level adjacent to the shared boundary. The closest point of the extension would sit approximately 3.3 m from the side elevation of No.19, which itself is positioned at a lower land level. While this relationship results in some increased built form near the boundary, the separation distance and change in levels help to moderate the overall impact.

The part of No.19 most affected would be the side driveway and secondary elevation, which do not contain primary habitable room windows. Although a degree of additional enclosure may be perceptible, the oblique relationship between the two properties limits the extent to which the extension would appear overbearing when viewed from within the neighbouring dwelling or its main garden area. The hipped roof form also helps to reduce additional massing in relation to No.19, reducing the perceived bulk when viewed from the neighbouring property. At the point closest to the shared boundary, the

extension would reach approximately 5.4 m in height. This hipped roof profile ensures that the upper-level massing is softened and that any potential overbearing effects are mitigated.

Overall, while the development would introduce some additional massing, the combination of the boundary separation, orientation of the site and the fact the main outlook and habitable rooms to no.19 would not face the extension to side is such that the proposal would not result in unacceptable overshadowing or overbearing effects for the occupiers of No.19.

23, New Hey Road

This neighbouring property adjoins the application site along the north-west-facing elevation and benefits from its own two-storey rear extension (ref: 2021/62/94744/W). The proposal would not introduce any openings facing No.23, ensuring there is no increase in opportunities for overlooking or loss of privacy. The submitted plans also demonstrate that the 45-degree guideline is achieved when taken from the corner of the proposed ground-floor projection to the rear elevation of No.23, demonstrating that the extension would not unacceptably intrude into the neighbour's outlook, or result in a detrimental loss of natural light.

The second-storey element of the proposal would be set approximately 3.6 m from the shared boundary, providing a significant degree of separation at upper level. This offset, combined with the existing extension at No.23, helps to limit any perception of overbearing massing or undue enclosure. Given the absence of new facing windows, the compliance with the 45-degree line, and the separation distance at first-floor height, the development is not considered to result in harmful impacts in terms of overbearing, privacy, or loss of light for the occupiers of No.23.

11, Lockwood Close

This dwelling is located to the rear of the application property. A separation distance of ~15 metres is achieved, and this is considered sufficient in mitigating detrimental harm to overlooking/privacy/ overbearing, this also takes into account the significant difference in levels and that the property is single storey.

The openings facing this property at the first floor level would be a bedroom which is no closer to no.11 than the existing bedrooms windows in the rear of the host property and a bathroom which would be 1m closer. Given the non habitable nature of the window closer at the first floor level, and that screening can mitigate any overlooking at the ground floor level the proposal is not considered to lead to an unacceptable level of overlooking to this property.

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 result in the number of bedrooms increasing from 4 to 5 as a result of the development. The Extensions SPD sets out for 4+ bedroom dwellings provide 3 off-street parking spaces. As the existing requirement is already 3 spaces, the increase in bedroom numbers would not alter the overall parking demand associated with the site.

The proposal would continue to accommodate this level of provision. A dedicated parking space would be retained to the side of the dwelling n, and the existing hardstanding and turning area to the front of the property would remain unaffected. Together, these areas provide sufficient space for vehicles to park and manoeuvre within the site, ensuring that the development would not give rise to any highway safety concerns or additional pressure for on-street parking.

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.

The site is not within a bat alert layer on the Council's GIS system and there are no records of bat roosting at the site. As such, due to the small scale nature of the development, it is not considered to have a harmful impact upon ecology.

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: 2026/90976

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 materials used in the construction of the walls of the development shall be stone and render as indicated upon submitted drawing titled 'Proposed Elevations' ref: UD-496 received 5th June 2026. The render shall be of a cream colour finish to match the host property. The roofing materials of the first floor side extension hereby approved shall in all respects match those used in the construction of the existing building. The development shall not be brought into use until it has been completed with the materials of construction approved by this condition which shall 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Site and Location Plan	UD-496	-	09/04/2026
Existing Elevations	UD-496	-	09/04/2026
Existing Floor Plans	UD-496	-	09/04/2026
Proposed Elevations	UD-496	-	05/06/2026
Proposed Floor Plans	UD-496	-	09/04/2026
Proposed Level 1 and 2	UD-496	-	05/06/2026
Climate Change Statement	-	-	09/04/2026
Application form	-	-	09/04/2026

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. Amendments to the scheme were submitted on 5th June 2026 and the application progressed on that basis.

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