

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:	2026/62/91383/E
Site Address:	10, Water Royd Avenue, Mirfield, WF14 9LS
Description:	Erection of rear extension including demolition of existing garage and erection of replacement garage with first floor extension
Recommending Officer:	Jennifer Booth

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: 10-Aug-2026

OFFICER REPORT

Site Description

10 Water Royd Avenue is a detached, brick built dwelling with a garage attached to the side. The property has gardens and a drive to the front with an enclosed garden to the rear.

The surrounding area is residential with properties of a similar age although there is a mix of styles and sizes.

Description of Proposal

The applicant is seeking permission to demolish the garage, erection of a two storey side extension and a single storey rear extension.

The two storey side extension would project 3.3m from the original side wall of the dwelling, extending the depth of the property with a projecting element to the front. The roof would be hipped. The walls would be rendered with brick on the garage frontage and tiles for the roof covering.

The single storey rear extension would project 2.3m from the original rear wall of the dwelling, extending across the width of the property with a lean to roof form. The walls would be covered with timber cladding and the roof form would be tiled.

The proposal would see the application of render across part of the front of the first floor of the host property.

Relevant Planning History

None

Representations

The application was advertised by site notice, which expired on 06/07/2026

As a result of the above publicity, no representations have been received.

Consultation Responses

None

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 Proposals Map

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
- **LP 2** – 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.

The site is within Mirfield Neighbourhood Area. There is no made Neighbourhood Development Plan (NDP) within the Mirfield Neighbourhood Area at present. Furthermore there is no emerging NDP to be considered as a material consideration in assessment of this application. Further details on the progress of neighbourhood development plans in the district can be found at: <https://www.kirklees.gov.uk/beta/planning-policy/neighbourhood-planning.aspx>

However, the Mirfield Design Guide 2002 is still of relevance and requires development to be in keeping with the area.

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.

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.

- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

Principle of development:

The site is without notation on 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 a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions & 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.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the House Extensions & Alterations SPD goes on to state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

The proposal under consideration consists of two distinct elements which shall be addressed below.

Two storey side extension

Paragraphs 5.15, 5.19 & 5.21 of the House Extensions & Alterations SPD are of relevance with regards to the side extension as they require the development proposed to be located and designed to minimise the impact on

the character of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space.

The proposed two-storey side extension, which replaces the existing ground floor garage and projects flush with the first floor element above, is considered acceptable in terms of its impact on the visual amenities of the area. Whilst the extension does not incorporate a set back from the principal elevation, this is considered justified given the detached nature of the dwelling and the retention of a clear gap to the side boundary, ensuring that the property remains visually distinct, retains the sense of space between the properties and avoiding a terracing effect. In addition an existing single storey element to the side protrudes forward of the host property and would be replaced by the proposal. There is also an existing two storey protrusion to the front which the development would be set back from. Given the individual design of the dwelling in relation to immediate neighbouring occupiers and consideration that the scale and proportions of the extension are appropriate and subservient to the host dwelling, with the roof form reflecting that of the existing property it is considered sufficient justification is present that there is no set back in this case.

The proposed material palette, comprising brickwork at ground floor level to the front elevation and across the full rear elevation, with render at first floor level and to the side elevation, introduces a contemporary design element whilst remaining sympathetic to the existing dwelling. Given the varied architectural styles and materials evident within the surrounding area, the proposal would not appear out of character or incongruous within the street scene. Overall, the extension is considered to represent an acceptable design that would preserve the visual amenity and character of the area.

Single storey rear extension

Paragraphs 5.1 and 5.2 of the House Extensions & Alterations SPD go into further specific detail regarding rear extensions requiring development to maintain the quality of the residential environment, respect the original house and use appropriate materials.

The proposed single-storey rear extension is considered acceptable in terms of its impact on the character and appearance of the host dwelling and surrounding area. The extension would be modest in scale and would remain subordinate to the existing property, whilst retaining adequate private amenity space for occupiers. The design adopts a contemporary approach, with the inclusion of timber cladding providing a modern visual element that adds interest and variation to the development. Notwithstanding this, the proposed materials and overall form are considered to integrate satisfactorily with the existing dwelling. As such, the extension would not appear unduly prominent or incongruous and would have an acceptable impact on visual amenity.

Having taken the above into account, the proposals 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, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

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 proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

Impact on 8 Water Royd Avenue

The two storey side extension would be constructed on the opposite side of the host property to the adjacent dwelling to the west. As such, this would result in no overlooking, overshadowing or overbearing.

The single storey rear extension would have a limited projection of 3m with a 6m separation to the adjacent dwelling. As such, there would be no unacceptable levels of overshadowing or overbearing arising. The development is not considered to lead to an unacceptable level of overlooking to this neighbouring property.

With regards to the impact on the adjacent 8 Water Royd Avenue, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Impact on 12 Water Royd Avenue

Whilst the proposed side extension would not reduce the space between the properties, it would increase the height. However, the openings in the side of the neighbouring property which serve a bathroom, toilet and secondary kitchen window which would not be considered to be habitable.

The rear extension would be single storey, with a limited projection of 3m and would be set back from the shared boundary with the adjacent dwelling. As such, there would be no unacceptable levels of overlooking, overshadowing or overbearing arising from the development.

With regards to the impact on the adjacent 12 Water Royd Avenue, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions &

Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Impact on 1 Water Royd Avenue

The neighbouring property to the front is situated with an angled relationship some 23m from the site. Given the orientation together with the separation, the works proposed would result in no unacceptable levels of overlooking, overshadowing or overbearing arising.

With regards to the impact on the neighbouring 1 Water Royd Avenue, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Impact on 39 & 41 Stonehurst Road

The properties to the rear are some 30m from the host property. Given the separation, the proposals would result in no unacceptable levels of overshadowing, overbearing or overlooking arising.

With regards to the impact on the neighbouring 39 & 41 Stonehurst Road, the scheme is considered to be acceptable in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 12 of the NPPF and the proposals are considered to be acceptable.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions & Alterations SPD and Chapter 12 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will result in some intensification of the domestic use. However, the parking area to the front of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. Bin storage for the dwelling would not be moved as part of the proposals. As such the scheme 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 & Alterations SPD.

Other matters:

Carbon Budget

The proposal is a small scale domestic 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.

There are no other matters for consideration.

Representations:

None

Negotiations:

None

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.

Materials, as indicated on the proposed plans to ensure that the extensions are completed with materials which have been concluded to suitably harmonise with the host property.

All render elements be finished with an off white colour.

Conclusion:

This application to erect a two storey side extension and a single storey rear extension has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable.

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: 2026/91383

Officer Recommendation: Approve

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 & Alterations SPD and the aims of the National Planning Policy Framework.

3. The external walls and roofing materials of the extension hereby approved shall, as indicated upon submitted drawing 4627.D.2revB all materials to match as indicated upon the drawing shall, in all respects, match those used in the construction of the existing building. The development shall not be brought into use until the timber detailing proposed for the single storey rear extension and the render to the front and side have been completed with the render completed in an off white colour finish. The materials of construction and colour finish approved by this condition shall be retained thereafter.

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 & Alterations SPD policies within chapter 12 of the National Planning Policy Framework.

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	Reference	Web ID	Date Received
Location plan	L 3	1141352	03/06/2026
Existing site plan	L 1	1141356	03/06/2026
Existing plans	D 1	1141364	03/06/2026
Proposed site plan	L 2	1141355	03/06/2026
Proposed plans	D 2revA	1141363	03/06/2026
Climate change statement	-	1142130	03/06/2026

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 2024 and otherwise actively engaged with the applicant in dealing with the application.

As the submitted plans were considered to be acceptable, no changes were sought.