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:	**2026/62/91516/E**
Site Address:	200, Raikes Lane, East Bierley, BD4 6RD
Description:	Removal of car port, relocation and alterations to existing detached garage, erection of single storey rear extension, side porch and conversion of existing hipped roof to gable and erection of rear dormer
Recommending Officer:	Faiza Bano

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: 04-Nov-2026

DECISION LEVEL:

This is a Schedule 1 Application. By virtue of Regulation 4, it must be dealt with under delegated powers

Site Description

The application site relates to 200 Raikes Lane, East Bierley, BD4 6RD, a semi-detached residential dwelling located within an established area of East Bierley. The property occupies a generous residential plot fronting Raikes Lane and is characterised by a two-storey dwelling with associated off-street parking, garden areas and existing detached outbuildings. Surrounding development is predominantly residential in nature, comprising a mixture of detached and semi-detached dwellings of varying ages, styles and designs.

The site is bounded by neighbouring residential properties and their domestic curtilages, with established landscaping and boundary treatments defining the plot. Vehicular and pedestrian access to the property is taken directly from Raikes Lane.

Description of Proposal

The Scheme

Permission is sought for the removal of an existing car port, alterations and relocation of a detached garage, the erection of a single-storey rear extension and side porch, together with roof alterations including the conversion of the existing hipped roof to a gable end and the formation of a rear dormer extension.

Supporting Information

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

- Climate Change Statement

Relevant Planning History

None.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter

The application has been publicised as on the Council's website and by site notice. The expiry date of the publicity period was the 03/07/2026.

As a result of the above publicity, three representations have been received raising the following summarised concerns:

- Concern that the proposed rear dormer would increase overlooking of garden from the upper floor, resulting in a loss of privacy.
- Proposal would create a higher rear elevation than surrounding properties leading to in unacceptable overlooking

The representations received are taken into account in the consideration of this application and addressed within the 'Assessment' section of this report.

Consultation Responses

KC Highways Development Management - raised no objection to the proposed development. It was considered that the existing access arrangements, bin storage facilities and on-site parking provision would be retained, with three parking spaces providing an appropriate level of parking for the enlarged four-bedroom dwelling in accordance with relevant highway policy.

Highways DM also noted that space would remain within the modified garage for storage, including cycle parking, and concluded that the proposal would not give rise to any significant highway safety or network capacity issues. The applicant was encouraged to consider the installation of an electric vehicle charging point to support sustainable travel.

Allocation and Policy

The site is unallocated within the Kirklees Local Plan (adopted 2019).

The site is subject to the following planning policy designations and constraints:

• Development High Risk and Development Low Risk (Coal Mining Legacy)

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
LP53 Contaminated and Unstable Land

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published August 2026, 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.

Chapter4 Achieving sustainable development
Chapter 5 Meeting the challenge of climate change
Chapter14 Achieving well-designed places
Chapter 17 Pollution, public protection and security

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

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 chapter 4 of the National Planning Policy Framework. The objectives of the policies in chapter 4 are to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements. For proposals within settlements policy S4 sets out development should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

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 14 of the NPPF, regarding design, 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.

The recommendations contained within paragraphs 5.15-5.18 (side extensions) 5.1-5.6 (rear extensions) and 5.24-5.27 (dormer windows and roof extensions) and 5.29 & 5.30 (outbuildings) of the Council's House Extensions & Alterations Supplementary Planning Document are considered relevant to the determination of this application and are taken into account in the assessment 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

Chapter 14 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, 2, and 9 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.

The dwelling occupies a spacious residential plot within an established residential area where properties have been altered and extended in a variety of forms.

The proposed single-storey rear extension would not be readily visible from the public realm. By virtue of its single-storey scale, modest projection and position to the rear, the extension would appear subordinate to the host dwelling and would not detract from the character of the street scene.

The proposed side porch is modest in scale and design and would be appropriately integrated into the existing dwelling. It would not appear unduly prominent or incongruous within the streetscene and would remain subservient to the host property.

With regard to the roof alterations, the replacement of the existing hipped roof with a gable end would reflect a common domestic alteration and would integrate satisfactorily in this case given there are a number of gable roof properties in the locality and having regard to the extent of roof alterations possible under permitted development rights, including a hip to gable alteration.

The proposed rear dormer would be positioned on the rear roof slope and would be set below the ridge line and in from the roof edges, ensuring that it remains subordinate to the main roof form. Given its rear-facing position, the dormer would have limited visibility from public viewpoints and would not adversely affect the character or appearance of the wider streetscene. This conclusion is drawn having regard to the extent of roof alterations including a dormer to rear possible by utilising permitted development rights and the siting of the dormer set back from the eaves and in from both sides as well as down from the ridge.

The proposal also includes the relocation and alteration of the existing detached garage. Owing to its domestic scale, position within the residential curtilage and subordinate relationship to the host dwelling, the amended garage would not appear unduly prominent or incongruous within the site. The development would retain a functional ancillary building appropriate to the scale of the property and would not result in any material harm to the character or appearance of the site or wider street scene.

The submitted plans indicate use of matching materials, a condition of any permission would require the scheme to be undertaken in accordance with the details set out within the submitted plans which indicate matching wall and roofing materials. A condition to ensure the walls of the dormer are a dark grey colour finish is also recommended to ensure they are of a satisfactory appearance. The re sited garage would see a new roof with the materials set out in the submitted plans.

Therefore, subject to conditions, the proposed development is considered to comply with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Principles

1, 2, and 9 of the House Extensions and Alterations SPD, and Policies within Chapter 14 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."*

Policy P3(2)(b) seeks to ensure developments do not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers

Key Design Principles 3, 4, 5, 6, and 7 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 proposed single-storey rear extension would project from the rear elevation; however, by virtue of its size and scale with a 3m projection and position within the plot, it is not considered to result in any unacceptable loss of light, overshadowing, or overbearing impact upon neighbouring residential properties. The extension would not introduce any significant increase in overlooking.

The proposed side porch is modest in scale and located to the side of the dwelling. Owing to its limited size and projection, it would not have any material impact on the amenities of neighbouring occupiers in terms of outlook, daylight or sunlight or lead to a significant increase in overlooking arising.

The alterations and relocation of the detached garage would remain domestic in scale and ancillary to the main dwelling. Given its siting within the residential curtilage and its relationship with neighbouring boundaries, the proposal would not result in any undue loss of outlook, overshadowing or overbearing effects.

The roof alterations, including the replacement of the hipped roof with a gable end and the erection of a rear dormer, would increase the amount of first-floor accommodation. The dormer would serve a habitable room within a residential property and would provide views towards neighbouring gardens and properties that are typical of those experienced within established suburban residential areas. The separation distances between properties are considered sufficient to ensure that any overlooking would not be materially harmful or significantly greater than that reasonably expected within the existing residential context. Furthermore, the dormer would be located on the

rear elevation and would not give rise to any unacceptable overbearing, overshadowing or loss of light impacts upon neighbouring occupiers.

The distance of the dormer is considered to be such that refusal on grounds of increased overlooking could not be substantiated. The openings within the dormer would not protrude beyond the rear plane of the host property and the impact of the proposal in terms of overlooking arising from the dormer is concluded to be acceptable in this regard.

As such, it is considered that the proposal would not result in unacceptable harm to the living conditions of neighbouring occupiers through overlooking, loss of privacy, overshadowing, loss of light, loss of outlook or overbearing impact. The development is therefore considered to comply with Policy LP24 of the Kirklees Local Plan, Key Principles 3, 4, 5, 6, and 7 of the 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 Chapter 15 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 proposal would increase the accommodation within the dwelling from three bedrooms to four bedrooms; however, the Council's Highway Development Management team have raised no objection to the development. It is noted that the existing vehicular access would be retained and that sufficient off-street parking provision would remain within the site to serve the enlarged dwelling. The retention of three parking spaces is considered appropriate for a four-bedroom property and complies with the requirements of Policy LP22 and the Council's Highway Design Guide.

Highways DM also confirmed that adequate space would remain within the modified garage for storage purposes, including cycle storage, and concluded that the proposal would not give rise to any significant highway safety concerns or adverse impacts on the operation of the local highway network.

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 15 of the National Planning Policy Framework.

5. Climate Change

Chapter 5 of the NPPF sets out policies relating to meeting the challenge of climate change. The objective of the policies in chapter 5 are details as being to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change. It does this by setting out policies to shape places in ways that contribute to radical reductions in greenhouse gas emissions and adapt to the full range of current and potential impacts of climate change, by minimising vulnerability and improving resilience.

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 5 of the National Planning Policy Framework.

6. Other Matters

Impact upon Ecology

Chapter 19 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 proximity of an identified bat roosting area, it is considered unlikely any would be within the roof space given the relatively modern construction of the dwelling. An informative would be included 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. Subject to informative the proposal is considered to be acceptable in this regard.

Coal Mining Legacy

Chapter 17, Policy P2 of the NPPF seeks to ensure that development is appropriate for its location, having regard to ground conditions and risks arising from land instability. Policy LP53 of the Kirklees Local Plan similarly seeks to ensure that development on potentially unstable land is

appropriately assessed and that any identified risks are satisfactorily addressed.

The site lies partly within a Development High Risk Area associated with former coal mining activity. However, the proposal comprises minor householder development. Having regard to the scale and nature of the development, the Coal Authority/Mining Remediation Authority's standing advice can appropriately be applied and brought to the applicants attention by informative. Subject to this, the proposal is considered acceptable in respect of coal mining legacy and ground stability.

7. Representations

For completeness the representations received are repeated and addressed here:

- Concern that the proposed rear dormer would increase overlooking of garden from the upper floor, resulting in a loss of privacy.
- Proposal would create a higher rear elevation than surrounding properties leading to in unacceptable overlooking

The impact of the proposal in terms of overlooking is addressed within section 3 of the assessment section of this report. It is concluded that the impact of the development in terms of resultant overlooking would not be significant and refusal on such grounds could not be substantiated by the LPA.

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 constitute sustainable development and is therefore recommended for approval.

Recommendation CONDITIONAL FULL PERMISSION

Decision Authorisation: Delegated Powers

Application Number: 2026/91516

Officer Recommendation: Conditional Full Permission

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 and LP53 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 4, 5, 14, and 17 of the National Planning Policy Framework.

3. The walls of the dormer to rear hereby approved shall be of a dark grey colour finish 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.

NOTE: Great Crested and/or Warty Newts 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; deliberately disturb; or damage or destroy a a breeding site / resting place of Great Crested and/or Warty Newts. Should they be encountered Natural England must be contacted and where a licence is required, in relation to their removal or relocation, 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
Existing Information	SK261094/P01 rev1A	-	08-Jun-2026

3D Views	SK261094/P04rev A	-	08-Jun-2026
Proposed Site and Floor Plans	SK261094/P02revA	-	08-Jun-2026
Proposed Elevations	SK261094/P03revA -	-	08-Jun-2026
Climate Change Statement	-	-	08-Jun-2026
Application Form	-	-	08-Jun-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 preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.