

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:	2026/62/91739/W
Site Address:	23, Rectory Drive, Kirkheaton, Huddersfield, HD5 0JT
Description:	Removal of existing conservatory and erection of single storey side extension including associated works
Recommending Officer:	Ellen Gilbert

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: 19-Aug-2026

THE SITE

The site is 23 Rectory Drive, Kirkheaton, Huddersfield, HD5 0JT, a two-storey semi-detached property faced in stone, with a rendered upper elevation, concrete tile roof and UPVC windows and doors.

The property lies in a largely uniform street scene, surrounded by properties of a similar size, scale, character, appearance, and age. Furthermore, the dwelling benefits from amenity space to the front and side with a hardstanding driveway offering off-road parking to the front of the dwelling.

THE PROPOSAL

The applicant is seeking permission for the removal of an existing conservatory and erection of a single storey side extension including associated works.

The single storey side extension would be 2.4m in height to the eaves, 3.7m in height to the topmost part of the roof and be 4m x 6.7m in terms of its floorspace.

It is noted that the scale on the submitted elevations is stated as 1:50 although there is an annotation stating 1:150. Given the annotated measurement of the floor to cill height scales accurately at 1:50 it is considered to be clear the submitted plans are at scale 1:50.

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

- Climate Change Statement.

During the assessment of the application, the following additional/amended plans/information was submitted for consideration:

- Proposed Site Plan (ref: 2026/527/07)
- Proposed Ground Floor Plan (ref: 2026/527/05)

These plans were submitted to include the removal of the existing hedges and their replacement with a 1.8m high timber fence.

PLANNING HISTORY

There is no planning history for the site which is considered relevant to the current proposal.

PUBLICITY & REPRESENTATIONS

The application has been publicised in accordance with Councils adopted Development Management Charter which incorporates the legislative publicity requirements of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

As such, this application has been publicised via site notice and the final publicity date expired 13/08/2026

No representations were received.

Whilst it has been considered necessary, for clarity, to add reference to associated works into the description of the development given the proposal would see a new fence constructed it has not been necessary to re publicise the description as advertised. The description as advertised adequately alerted the public to the nature of the development with the plans publicised and so annotated to outline the nature of the development including the associated works.

CONSULTATIONS

Given the scope of the proposal, no consultations were deemed necessary in determining the outcome of the application.

ALLOCATION & POLICIES

The site is unallocated within the Kirklees Local Plan (adopted 2019). The site is located within a bat alert area. The site is also located within 200m of an identified historic landfill site.

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 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. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

- Chapter 3 – Decision Making Policies
- Chapter 4 – Achieving sustainable development
- Chapter 5 – Meeting the challenge of climate change
- Chapter 14 – Achieving well-designed & beautiful places
- Chapter 15 – Conserving and Enhancing the Natural Environment.
- Chapter 17 – Pollution, public protection and security

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

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.

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 extending the existing dwelling is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact on character and appearance of the area

Policy LP24 of Kirklees Local Plan seeks to ensure development is of a suitable design. Chapter 14 of the NPPF sets out the objective to promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes.

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.

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. In addition, section 5.3 of the SPD is of relevance in this case. Paragraphs 2.15 – 5.18 set out recommendations of the SPD, where these are not met a comply or justify principle is relevant in the consideration of development proposals (as set out at section 1 of the SPD).

Paragraph 5.23 of the SPD sets out the considerations applicable for developments on corner plots. In this case the proposal would not exceed the established built line given it is set back from the host property and building to the north of the site. It would feature openings to create an active frontage. The proposal would see replacement boundary which is considered justified in this case as detailed in the following paragraphs of this section.

The proposal would be set back more than 0.5m from the front of the host property, it would have a projection of 4m with the host property being 6m in terms of its width, which would meet the recommendation that a side extension does not exceed 2/3rds of the width. The height of the eaves / topmost part of the roof would meet the recommendations contained within the SPD.

The proposed extension is considered to be sympathetic to the character and appearance of the host dwelling and the surrounding area. The development will be constructed using materials that match or complement the existing property, including red brickwork to reflect the eastern elevation of the dwelling, concrete roof tiles, and uPVC windows and doors. A condition to ensure this is the case is recommended to be included upon any grant of permission.

The extension incorporates a lean-to roof design that reflects the form and appearance of the existing dwelling, helping to ensure a cohesive visual aspect. Furthermore, the extension is set back from the original building line, creating a visual break that clearly distinguishes the proposed addition from the host property and reduces its prominence within the street scene. As a result, the proposal is not considered to harm the character or visual amenity of the site or the wider area.

The proposal would see the removal of a large hedgerow (leylandii) and its replacement with a 1.8m high fence. The loss of soft landscaping and replacement with a fence will impact upon the street to some degree. However it is considered this could be mitigated to some extent by the use of dark brown or green colour staining as the finish for the timber fence.

Weight is afforded a number of factors present in this case, notably the dwelling is to the part of the street whereby the rear amenity space is immediately adjacent to the highway and a degree of screening to create private amenity space is a reasonable expectation. It is noted the removal of the existing soft landscaping could be undertaken in any event. On balance and subject to inclusion of the aforementioned conditions it is considered the overall impact of the development would not be significant in this case given the context it would be viewed within the street and the individual site characteristics which are applicable to this particular site within the street.

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:

Policy LP24 of the Kirklees Local Plan and Chapter 17 of the NPPF seeks to ensure an acceptable impact of development proposals in relation to residential amenity. 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 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. . Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The proposed extension is not considered to result in any significant overlooking or loss of privacy. Whilst the existing hedgerow is to be removed, it will be replaced with a 1.8-metre-high boundary fence, which will provide effective screening and limit views both into and out of the property from the adjacent road. Furthermore the existing hedgerow could be removed in any event and the overlooking impact is not considered to be significantly greater than that possible from the existing structure to side, and is considered to be acceptable in this case taking account of the distances of the proposal from neighbouring occupiers.

Furthermore, the extension is subservient in scale and design to the host dwelling and is set back from the original building line. As such, it is not considered to give rise to any unacceptable impacts on the amenities of

neighbouring occupiers in terms of overshadowing, overbearing impact, loss of light, outlook, overlooking, or privacy.

The proposal also retains a proportion of the existing private amenity space in the form of a garden area located between the eastern elevation of the extension and the boundary fence. This ensures that an adequate level of outdoor amenity space will remain available for current and future occupiers of the dwelling.

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.

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 will not affect the on-site parking provision and therefore, it is considered acceptable to remain as it currently meets the needs of the dwelling.

It is therefore considered that in terms of access and 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:

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.

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:

A climate change statement accompanies this application. This details several measures to be undertaken which, when considered in the context of the requirements of building regulations for the development, is considered sufficient in this regard.

6 – Other Matters:

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 bat alert area, weight is afforded to the fact that bats are protected in law. It is considered that in this case an appropriate approach would be to draw the protection of bats to the attention of the applicant as an informative upon any grant of permission, 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.

7 – Representations:

None 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 that the

development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2026/91739

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 & LP30 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 3, 4, 5, 14, 15 and 17 of the National Planning Policy Framework

3. Notwithstanding the plans submitted the external walls and roofing materials of the development hereby approved shall in all respects match those used in the construction of the existing building and 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 14 of the National Planning Policy Framework.

4. The fence as annotated upon submitted plan 2026/527/07 shall be constructed from timber and completed with a dark brown or dark green colour finish which shall be applied within 2 months following the substantial completion and installation of the fence. The colour finish of the fence and materials of construction approved by this condition 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 14 of the National Planning Policy Framework.

NOTE: Bats 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 bat; deliberately disturb bats; or damage or destroy a bat roost. 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
Proposed Site/Block Layout	2026/527/07		31/07/26
Proposed Floor Plans Amended	2026/527/05		31/07/26
Proposed Elevations (Side)	2026/527/02		01/07/26
Proposed Elevations (Rear)	2026/527/04		01/07/26
Proposed Elevations (Front)	2026/527/03		01/07/26
Grouped Plans and Elevations (Existing)	2026/527/01		01/07/26
Block Plan dated 24 th June 2026			01/07/26
Location Plan dated 9 th June 2026			01/07/26

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 2015 and otherwise actively engaged with the applicant in dealing with the application. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Coal – low