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:	**2026/62/91968/E**
Site Address:	6, Summers Drive, Mirfield, WF14 0DY
Description:	Erection of outbuilding to rear
Recommending Officer:	Morgan Braithwaite

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: 14-Oct-2026

OFFICER REPORT

Site Description

6, Summers Drive, Mirfield, WF14 0DY is a two-storey detached dwelling faced in red brick. The property benefits from a single integral garage along with a singular parking space to the front of the property. A area of amenity space is located to the front of the property, while a larger area is located to the rear. The dwellings which form the street scene are similar in scale, appearance and material palette.

Description of Proposal

The applicant seeks permission for the erection of an outbuilding to the rear (south) of the site. The proposed outbuilding would span a width of 3m, a length of 2.5m and feature a sloped roof with a maximum height of 2.5m. Glazed French doors are to feature in the front (north-east) elevation, along with a full height window in the side (north-west) elevation.

The materials used to construct to the proposal shall comprise of composite cladding on the principle and side (north-east and north-west) elevations, while dark metal cladding shall feature on the side and rear (south-west and south-east) elevations, with similar panels on the roof. The French doors and full-height window are to be powder coated aluminium framed and grey in colour. Two spotlights and two vertical wall lights shall be located under the canopy to the front of the building.

History of Negotiations/Amendments

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2015 encourages negotiation/engagement between Local Planning Authorities and agents/applicants. As the proposal was considered acceptable, no amendments were sought.

Relevant Planning History

2025/90065: Installation of air source heat pump and roof fitted PV solar panels - CONDITIONAL FULL PERMISSION

2025/91832: Non material amendment to previous permission 2025/90065 for installation of air source heat pump and roof fitted PV solar panels - NMA – APPROVED

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: 28th August 2026

No representations were received as a result of the publicity.

Consultation Responses

No consultations have been requested as part of the planning process.

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 within a mixed use site allocation (ref: MXS6) within the Kirklees Local Plan. The site has subsequently been developed since 2018 for housing.

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.

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, and 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.

- Chapter 4 – Achieving sustainable development
- Chapter 14 – Achieving well-designed places

Supplementary Planning Guidance

- House Extensions and Alterations SPD (June) 2021

Legislation

The Town and Country Planning Act 1990 (as amended).
Section 38(6) of the Planning 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”.

Consideration of this scheme is undertaken having regard to paragraphs 5.29 & 5.30 which all provide recommendations in relation to a scheme of this nature. A 'comply or justify' approach is set out within the House Extensions and Alterations SPD which relates to the aforementioned recommendations.

2) Impact on 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.

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.

The applicant seeks permission for the erection of a single storey outbuilding. The structure has been well and respectfully designed in terms of its form, scale and layout. While the materials do not match that of the dwellinghouse, they are considered to be of a complementary design and would not have a significant impact. The proposal forms a subservient addition to the existing dwellinghouse, whilst also retaining sufficient amenity space for both the current and future occupiers of the dwelling.

The proposal would be subservient in footprint and scale to the original building and its garden and would be set back behind the building line of the original building. Furthermore a reasonable private amenity space appropriate to the potential number of occupants of the house would remain.

Having taken the above into account, the proposed development 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.

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 designs 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."

4 Summers Drive is the neighbouring dwelling located to the north of the application property. The applicant seeks permission for the erection of an outbuilding which is to be located in the southern part of the garden from no.4. The proposal is to be single storey in scale and would be partially screened by the boundary treatment (timber fence), mitigating against potential impacts on no.4. It is therefore considered the proposal would have an acceptable impact upon no.4.

8, Summers Drive is located to the south-east of the application property. The proposal is to be single storey in scale and located to the south of the application site and consequently, close to the boundary with no.8. it is considered that the proposal, is of a scale which is such that it would represent limited impact upon the no.8 in terms of overlooking or oppressive / overbearing impact or impact in relation to light. This conclusion is drawn having regard to the single storey design and fact there is screen fencing in place which limits potential for overlooking from the building to occupiers of this property.

6, Leeds Road is a neighbouring property located north west of the application site. Due to the single storey scale of the outbuilding and partial screening from the boundary treatment it is considered there would be no significant impact to this property as a result of overlooking, overshadowing or by being unduly oppressive / overbearing.

4, Lavendar Court is a neighbouring property located to the south of the application site. The properties share a partial area of boundary treatment. The proposal is to be single storey in scale and would be partially screened by the aforementioned boundary treatment. It is considered the impact of the proposal would not be significant in relation to this property having regard to overlooking, overshadowing or oppressiveness / overbearing.

It is noted that there are other neighbouring properties within the area which may have some visibility of the proposed structure, however, officers do not anticipate them to be unduly impacted by the proposal due to screening, separation distances and the scale of the proposal.

As such, no significant issues are considered to arise in relation to residential amenity of neighbouring occupiers and the proposal would accord with the aforementioned policies in this regard.

4) Impact on highway safety

Policies LP21 and LP22 of the Kirklees Local Plan and policies within 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.

The proposal does not see the intensification of the domestic use of the dwelling, nor does it see any alteration to existing parking provision.

Therefore, the proposal would not represent any significant 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 and Alterations SPD.

5) Other matters

Carbon Budget

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.

The proposal is a small scale development to an existing dwelling, the submitted climate change statement sets out a number of measures to be incorporated which are considered proportionate to development of this scale. A condition requiring the scheme be undertaken in accordance with the submitted details would be included upon any permission which is considered to be sufficient mitigation in this regard.

6) Representations

No representations were received as a result of site publicity. The proposal was advertised by site notice, with the public consultation period ending 28th August 2026.

7) 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.

8) Conclusion

The application to erect an outbuilding to the rear of 6, Summers Drive, Mirfield, WF14 0DY has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations.
The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Governments 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 CONDITIONAL FULL PERMISSION
Decision Authorisation – Delegated Powers
Application Number: 2026/91968
Officer Recommendation: Conditional Full Permission

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 LP1, LP2, LP22 & LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and policies within chapters 4 and 14 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.

Plans and specifications schedule: -

Plan / document Type	Plan Reference	Version	Date Received
Location Plan	-	-	22/07/2026
Existing Block Plan	01	-	17/07/2026
Proposed Block Plan	02	-	17/07/2026
Proposed Site Layout Plan	03	-	17/07/2026
Proposed Floor Plans	4169-GA-001revA sheet 2/3	-	14/07/2026
Proposed Elevation Plans	4169-GA-001revA sheet 1/3		
Appendix A - Composite cladding		-	14/07/2026
Planning Statement		-	14/07/2026
Climate Change Statement		-	14/07/2026

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.