

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:	2026/62/92080/E
Site Address:	20, Spencer Street, Skelmanthorpe, Huddersfield, HD8 9BE
Description:	Erection of single storey rear extension and rear dormer with loft conversion
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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 24-Sep-2026

THE SITE

The application relates to 20 Spencer Street, Skelmanthorpe, HD8 9BE. The dwelling, the subject of this application, is a traditional two-storey mid-terrace dwelling constructed in natural stone. The front of the property is symmetrical and forms part of a traditional terrace in character and design. The dwelling is set against the back edge of the public highway with no enclosed front garden area, featuring UPVC windows and doorframes beneath a gable roof with stone slate tiles. Parking is on street, with cars situated to the front of the terrace.

To the rear of the property, two windows are situated on the second floor above a doorway providing access to the ground floor of the house. Access is granted via an unmade road to the right of the end-terrace, which narrows into a pedestrian footpath. Openings are characterised by UPVC frames, with stone lintels and windowsills. At ground-floor level, the property has been altered through the construction of a single-storey rear conservatory, which has since been demolished at the time of the case officer's visit. A raised patio abutting the house opens out towards an enclosed garden, gently sloping downward towards a stone boundary wall, features soft landscaping such ornamental planting and hedgerows. The principal boundary treatments to the subject dwelling include stone walling and wooden fences.

The surrounding area is primarily residential, comprising similarly stone-built terraced properties characteristic of their era.

THE PROPOSAL

The applicant is seeking planning permission for the erection of a single storey rear extension and rear dormer with loft conversion.

The dormer would measure approximately 4 metres in width and 2.2 metres in height. Proposed construction materials for this element of the development include composite shiplap cladding and would feature a flat roof.

The rear extension would project 2.9 metres and measure approximately 3.1 metres in height from the raised patio to the highest point of the roofline, which would be mono-pitched in form and featuring two rooflights.

PLANNING HISTORY

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

2020/62/91283/E- Demolition of existing conservatory and erection of 3 storey extension and raised patio- Conditional Full Permission

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 which expired on the 1st of September 2026. No representations were received.

CONSULTATIONS

The below statutory consultation was requested for this application:

Denby Dale Parish Council- No Objections

ALLOCATION & POLICIES

The site is unallocated within the Kirklees Local Plan. It is located within a Bat Alert area and within 250m of a Historic Landfill Site.

Local guidance and policy are 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

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- 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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter3 Decision Making Policies
- Chapter4 Achieving Sustainable Development

Chapter5	Meeting the challenge of climate change
Chapter14	Achieving well designed places
Chapter15	Promoting sustainable transport
Chapter17	Pollution, public protection and security
Chapter19	Conserving and enhancing the natural environment

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

The Conservation of Habitats and Species Regulations 2017

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.

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 SPD incorporates a comply or justify principle insofar as where a scheme does not comply with the recommendations of the SPD is there relevant justification present.

Section 5.4 of the SPD is of relevance in the determination of this application. Paragraphs 5.25, 5.26 and 5.27 state that dormer windows should reflect the character of the area, surrounding buildings and the appearance of the existing house. In addition, the SPD states that when assessing a dormer window proposal, attention should be given to the surrounding buildings in the street and that flat dormers may be considered acceptable if they are well-designed, small in scale and appearance and are characteristic of the street scene.

The proposed rear dormer would introduce a prominent addition to a principal roof slope. The host dwelling forms part of a group of similarly designed terraced properties characterised by simple pitched roofs however some of the rear roof planes have been interrupted by the presence of rear extensions. Given the scale and massing of the proposed dormer, the applicant could utilise Permitted Development Rights in this instance to construct the said dormer.

Paragraphs 5.1, 5.2 and 5.6 of the House Extensions & Alterations SPD is of relevance here, stating that single storey rear extensions should be in keeping with the original house, retain an adequate amount of garden and use appropriate materials which match or are in similar appearance to the original house.

In the case of this application, the proposed replaces a UPVC conservatory which heavily contrasts with the stonework and architectural character of the host dwelling. The proposed would be constructed using natural stone to match the existing and grey slate tiles; the use of which will be made acceptable through the granting of conditions. In addition, the use of a mono-pitch roof blends with the sloping roofscape of the streetscape and is therefore visually congruous. Given the size and scale of the development compared with the host dwelling, ample garden space is retained, and the visual impact of the extension is entirely contained at the rear of the dwelling and is clearly subordinate. The proposed is therefore compliant with the standards set in Paragraph 5.8 of the SPD.

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:

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.

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 dormer would provide additional living accommodation and would not result in any significant loss of privacy, outlook, daylight or sunlight to neighbouring occupiers given its forward-facing position on the rear elevation. In addition, no fenestration is proposed on either side of the dormer. In this case, the proposal would therefore have an acceptable impact on residential amenity and would accord with local plan policies relating to this.

Paragraphs 5.2, 5.3 and 5.4 of the House Extensions & Alterations SPD are of relevance here, stating that rear extensions should not cause overlooking or loss of light. In the case of the proposed development, the size and scale do not give rise to any significant impacts. The proposed extension features two rooflights and UPVC double doors which face out onto the open aspect of the lawn and therefore there are minimal material impacts on neighbouring privacy. It is important to note that, in addition to this, no fenestration is proposed on either side of the extension, thus reducing any of the said neighbouring impacts.

Furthermore, the existing boundary treatments to be retained, such as hedges and timber fencing, in conjunction with the garden area which offsets the property from the pedestrian access track, act in this case as a visual and privacy buffer. The scale of the proposal is not considered to lead to significant levels of overshadowing or be unduly overbearing to neighbouring occupiers.

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 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.

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.

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 number of bedrooms in the property will increase from two to three as a result of the development, however, the off-street parking requirement at the dwelling will not change, and given there is currently no off-street parking at the dwelling the current arrangements of on-street parking and permit spaces will continue to be acceptable. The current parking provision is therefore considered acceptable to remain. In addition, the development is set back adequately from the highway and as a result will have no significant impact upon highway safety.

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:

Contaminated Land

With regard to land quality, Policy P2 of Chapter 17 of the National Planning Policy Framework and policy LP53 of the Kirklees Local Plan seek to ensure land quality is maintained as part of new development are considered to be relevant. The property is located within an area previously used for landfill and is close to a potential source of contaminated land.

No details relating to land quality have been submitted as part of the proposal. However, given the limited scale of the domestic development and the scale of existing residential development, it is considered to be appropriate to include a condition regarding the reporting of unexpected contamination to comply with Policy LP53 of the KLP.

Ecology

Policies within chapter 19 of the National Planning Policy Framework are relevant and seek to influence the design and location of new development to help drive nature's recovery and contribute to wider environmental outcomes, safeguarding our most important habitats, species and landscapes and recognising the centrality of natural capital to delivering sustainable growth.

The Conservation of Habitats and Species Regulations 2017 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.

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. 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.

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 – 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: 2026/92080

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).

1. 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

2. The external wall and roofing materials of the extension 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.

3. In the event that contamination is found at any time when carrying out the approved development, works must cease, and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with best current guidance and practice, and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following the completion of the measures identified within the approved remediation scheme, a verification report must be prepared, submitted to, and approved in writing by the Local Planning Authority in accordance with the timescales set out within the approved remediation scheme.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with Policy LP53 of the Kirklees Local Plan and 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
LOCATION, SITE & BLOCK PLANS INC. EXISTING AND PROPOSED PLANS AND ELEVATIONS	P26015 (PL) 001		27/07/2026
Climate Change Statement			27/07/2026

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 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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

16/09/2026

Coal – low