



PLANNING STATEMENT

Proposed two-storey oak-framed extension to rear elevation and addition of roof mounted solar panels to garage.

**2 Park Mews
Farnley Tyas
Huddersfield
HD4 6BX**

July 2026

Written By:
Matthew Dowley
m.dowley@dpaplanning.co.uk

Checked by:
Sam Dewar
s.dewar@dpaplanning.co.uk

Office Tel: 0113 397 0310

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1 INTRODUCTION

Context

- 1.1 This Planning Statement has been prepared by DPA Planning Ltd on behalf of the Applicant to accompany a planning application for a two-storey oak-framed extension to rear elevation and addition of roof mounted solar panels to garage (the "Proposed Development") at 2 Park Mews, Farnley Tyas (the "Application Site").

Site Context

- 1.2 The application site consists of an existing dwelling, number 2 Park Mews, in the village of Farnley Tyas. The wider area is predominantly residential in use. The site falls within the Conservation Area of Farnley Tyas.



Figure 1.1: Application site in context

Planning History

- 1.3 The Application site has the below relevant planning history :
- 2015/62/90759/E – Erection of 6 dwellings and conversion of barn into dwellings and associated works – Approved 22nd December 2017

Note the application site relates to “plot 8” from this approval and the conditions of this approval removed permitted development rights.

Proposed Development

- 1.4 The proposed development seeks permission to erect a two-storey oak-framed extension to the rear elevation (south facing) of the dwelling as well as the addition of roof mounted solar panels to the garage.
- 1.5 The plans provided with this application detail the proposed development in full.
- 1.6 The scale of extension is subordinate to the host dwelling, at 4.1 metres long and 4.3 metres wide. The height to eaves is 5.48 metres and total height to ridge is 7.4 metres.
- 1.7 High quality materials have been chosen to assimilate with the existing building as detailed within the supporting plans.
- 1.8 The solar panel installation is small scale with 10 panels proposed for the roof of the garage with 5 mounted on each side. This installation would provide upto 5kW of power, enough to offset the daily energy demands of the dwelling and lowering its carbon footprint.

2 PLANNING POLICY

Kirklees Local Plan

- 2.1 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.
- 2.2 The development plan for Kirklees is the Local Plan as adopted in full on 27th February 2019. The relevant policies from the plan include:
- LP 1 – Achieving sustainable development
 - LP 2 – Place shaping
 - LP 24 – Design
 - LP35 – Historic Environment
- 2.3 Other relevant guidance includes:
- House Extensions and Alterations SPD

National Planning Policy Framework & Guidance

- 2.4 Relevant Government planning policy is now contained largely within the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- 2.5 Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
- 2.6 Paragraph 11 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision taking. For decision-taking this means approving development proposals where there are no relevant

development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.7 Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

2.8 Paragraph 135 of the NPPF states that policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

2.9 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Legislation and the NPPF

2.10 A presumption in favour of sustainable development is the overriding message of the NPPF, meaning development proposals that are in accordance with the development plan should be approved without delay. The NPPF is a material consideration in planning decisions.

2.11 In relation to the "Decision-Taking" section of the NPPF, it states that Local planning authorities should approach decisions on proposed development in a positive and creative way (Paragraph 39).

2.12 The Town and Country Planning Act 1990, defines a Conservation Area as "an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance." The purpose behind Conservation Area designation is not to prevent any further change; rather it is to ensure that whatever change does occur is carefully managed.

2.13 The duty of the Council as a Local Planning Authority is set out in paragraphs 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The

duty in relation to Listed Buildings is to preserve its setting or any features of special architectural or historic interest which the building may possess.

- 2.14 Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraphs 214 and 215 of the National Planning Policy Framework make a distinction between proposals that will lead to substantial harm to (or total loss of significance of) a designated heritage asset and proposals which will have less than substantial harm to a designated heritage asset where this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

3 PRINCIPLE OF DEVELOPMENT

Acceptability in Principle

- 3.1 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways and these include identifying and coordinating the provision of infrastructure (economic objective) and by fostering a well- designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing (social objective), and, to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy (environmental objective).
- 3.2 The proposed development seeks a small but functional addition to the rear of the property. Policy LP24 of the Kirklees Local Plan states that good design should be at the core of all proposals. When assessed against LP24 along with the supporting information of the House Extensions and Alterations SPD and the NPPF, the principle of adding a rear extension with matching materials to the host dwelling is considered acceptable. The following sections of this statement therefore review other material planning considerations.

4 OTHER MATERIAL PLANNING CONSIDERATIONS

Character and Appearance of the Conservation Area

- 4.1 Policy LP35 at Part 3b states that proposals should retain those elements of historic environments which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved and that proposals within Conservation Areas conserve those elements which contribute to their significance.
- 4.2 Policy LP24 of the Local Plan states that good design should be at the core of all proposals and for extensions it states that proposals should promote good design by ensuring that additions are subordinate to the host dwelling and in keeping with the existing buildings in terms of scale, materials and details. This is echoed in the supplementary guidance of the House Extensions and Alterations SPD as well as the NPPF at Paragraph 135.
- 4.3 The proposed rear extension and solar panel additions to the existing garage roof do not affect any listed buildings or the wider Conservation Area of Farnley Tyas. The alterations are in proportion to the host dwelling with a suitable scale and position at the rear elevation. The high quality materials will complement the character of the area. High quality materials have been chosen to assimilate with the existing building.
- 4.4 The development would therefore comply with the intentions of the Local Plan at Policy LP35 and LP24, the House Extensions and Alterations SPD as well as the NPPF.

Residential Amenity

- 4.5 The Kirklees Local Plan at Policy LP24 (c) states that extensions should minimise the impact upon residential amenity of future and neighbouring occupiers. This is echoed in the NPPF at Paragraph 135 (f).
- 4.6 The proposed rear extension is subordinate in scale, extending outward from the rear elevation by 4.1 metres. Being set in from the boundary and highway there are no overshadowing or overbearing impacts caused. The high quality materials chosen will provide a well placed addition to the dwelling, in

compliance with the Local Plan at LP24, the House Extensions and Alterations SPD and the NPPF.

Highways Safety

- 4.7 The Kirklees Local Plan at Policy LP21 and the House Extensions and Alterations SPD states with regard to transport, that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe as echoed in Paragraph 116 of the NPPF.
- 4.8 The proposed development does not affect the existing access to site, maintaining good visibility entering and exiting the driveway and the development does not seek to alter the existing off street bin storage, therefore it is deemed to comply with the Local Plan at Policy LP21 as well as the supporting guidance of the House Extensions and Alterations SPD and the NPPF.

5 CONCLUSION

- 5.1 Paragraph 39 of the NPPF states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It goes on to state that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.2 The proposed development seeks a small but functional addition to the rear of the property and solar panels to the garage roof. Policy LP24 of the Kirklees Local Plan states that good design should be at the core of all proposals. When assessed against LP24 along with the supporting information of the House Extensions and Alterations SPD and the NPPF, the principle of adding a porch is considered acceptable.
- 5.3 The proposed development would provide a high quality addition to the rear elevation of the property. Its scale and design would complement the host property and wider area and would not harm the amenity of surrounding properties.
- 5.4 As such it is recommended that Planning Permission be granted.