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:	**2026/62/92210/E**
Site Address:	26, Scopsley Lane, Whitley, Dewsbury, WF12 0NG
Description:	Erection of two storey side extension
Recommending Officer:	Jennifer Booth

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 12-Oct-2026

OFFICER REPORT

Site Description

26 Scopsley Lane is a brick built, end terraced property with an existing two storey side extension, set back. The property has open hard standing to the front, a long garden to the side and rear.

The surrounding area is residential with properties of a similar age and original style.

Description of Proposal

The application is seeking planning permission to erect a two storey side extension.

The infill extension would be set back 0.18m and would have a width of 3.3m. The roof form would be hipped.

The walls would constructed with brick.

Relevant Planning History

2000/91016 – Erection of two storey side extension - Approved

History of negotiations

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2024 encourages negotiation/engagement between Local Planning Authorities and agents/applicants, this is only within the scope of the application under consideration. The initially submitted plans raised concerns in terms of design and scale. The scheme was amended to alter the roof over the two storey element and remove the single storey element. The amended plans reduced the scheme and as such have not been advertised.

Representations

The application was advertised by site notice, which expired on 21/09/2026

As a result of the above publicity, two representations have been received. The material planning matters raised are as follows:

- The flat roof form would be out of character.

- The property is in the green belt and has been extended previously.

The representations also mention the shared access to the property being exaggerated and the extension encroaching onto the neighbours land.

Consultation Responses

None

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 UNALLOCATED on the Kirklees Local Plan Proposals Map

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
- **LP 30** – Biodiversity
- **LP 53** - Contaminated land
- **LP 57** – Extension, alteration or replacement within Green Belt

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, 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 (S3: Presumption in favour of sustainable development)
- Chapter 5 – Meeting the challenge of climate change (CC2: mitigation of climate change & CC3: Adaption to climate change)
- Chapter 13 – Protecting green belt land (GB7: Control of development in the Green Belt & GB8: Development which is not inappropriate in the Green Belt – b)
- Chapter 14 – Achieving well-designed places (DP3: Key principles for well-designed places & DP4: The design process)
- Chapter 17 – Pollution, public protection and security (P2: Ground conditions & P3: Living conditions and pollution)
- Chapter 19 – Conserving and enhancing the natural environment (N2: Improving the natural environment, N6: Areas of particular importance for biodiversity and geodiversity)

Assessment

<u>Principle of development:</u>

The site is within the Green Belt on the Kirklees Local Plan Proposals Map. As such a key consideration will be its impact on the Green Belt and it will be assessed having regard to Policy LP57 and NPPF chapter 13. In addition, the impact of the development on design grounds, residential amenity and

highway safety will also be considered along with, biodiversity and all other material considerations and representations received.

Impact on Green Belt:

The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also identifies five purposes of the Green Belt. GB6 - 1 of the NPPF states that inappropriate development should not be approved except in 'very special circumstances'.

GB7 of the NPPF set out that certain forms of development are exceptions to 'inappropriate development'. In particular, GB7 – 1-b sets out that the extension or alteration of a building could be appropriate provided it does not result in disproportionate additions over and above the size of the original building.

Policy LP57 of the Kirklees Local Plan is consistent with advice within the NPPF. Policy LP57 of the Local Plan relates to the extension, alteration and replacement of existing buildings in the Green Belt. In the case of extensions, it notes that these will be acceptable provided that the original building remains the dominant element both in terms of size and overall appearance.

Policy LP57 also outlines that such development should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standing, curtilages and enclosures and means of access. Further to this, Policy LP57 states that with such development, the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.

The application site lies within the Green Belt where development must preserve its openness and not conflict with the purposes of including land within it. In this case, the proposed two-storey extension would infill the existing front corner of the dwelling and would remain within the established building line of the property. The extension has been designed to appear subservient to the host dwelling and would be read as a proportionate addition to the existing house. Whilst the property backs onto open fields, it is located within a cul-de-sac of residential development, and the proposed works would be contained within the existing built form of the site. As such, the proposal would not result in any material encroachment into the open countryside, would preserve the openness of the Green Belt, and is considered to constitute a proportionate extension that would not result in inappropriate development.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the House Extensions & Alterations SPD goes onto state that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and details.

Paragraphs 5.15, 5.19 & 5.21 of the House Extensions & Alterations SPD are of relevance with regards to the side extension as the require the development proposed to be located and designed to minimise the impact on the character of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space.

The proposed two-storey side extension would be of an appropriate scale and design that would remain in keeping with the character and appearance of the host dwelling. Whilst the extension incorporates only a modest set back from the principal elevation, the corner position of the property ensures that it would not appear overly prominent or result in a terracing effect within the street scene. The design responds appropriately to the form of the existing dwelling and the use of matching materials would ensure a cohesive appearance. In addition, ample private amenity space would be retained to the side and rear of the property, maintaining the spacious character of the plot. Overall, the proposal is considered to have an acceptable impact on visual amenity and would integrate satisfactorily within the surrounding area.

Having taken the above into account, the proposals 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, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 14 of the National Planning Policy Framework.

Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key

Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

There are no properties to the rear which could be affected by the works proposed.

Impact on 25 Scopsley Lane

The extension would be constructed on the opposite side of the host property to the adjoining dwelling and as such there would be no impact on the amenities of the occupiers of the adjoining property in terms of overlooking, overshadowing or overbearing.

With regards to the impact on the adjoining 25 Scopsley Lane, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 14 of the NPPF and the proposals are considered to be acceptable.

Impact on 27 Scopsley Lane

The infill extension would be in line with the side elevation of the adjacent dwelling which has two openings which appear to serve non habitable spaces and the drive to the side of the property. Given the spatial relationship, the side extension would result in no overshadowing or overbearing. There are no windows proposed which could result in overlooking of the neighbour as the ground floor opening on the front would serve the store area and the first floor window would serve an ensuite.

With regards to the impact on the adjacent 27 Scopesly Lane, the scheme has been considered in terms of KDP3 – privacy, KDP5 – overshadowing and KDP 6 – overbearing impact of the House Extensions & Alterations SPD, policy LP24 of the KLP c) in term of minimising impact on neighbouring occupiers and advice within chapter 14 of the NPPF and the proposals are considered to be acceptable.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions & Alterations SPD and Chapter 14 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will result in some limited intensification of the domestic use. However, the parking area to the front of the property would not be affected by the proposed extension and is considered to represent a sufficient provision. Bin storage for the dwelling would not be moved as part of the proposals. As such the scheme would not represent any additional 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 & Alterations SPD.

Other matters:

Biodiversity

After a visual assessment of the building by the officer, it appears that the building is in good order, well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are found during the development, then work must cease immediately and the advice of a licensed bat worker sought.

HP Gas Lines

Part of the site is within the outer zone for a HP gas line. However, the area to be extended is not within this layer and there is a separation of approx. 3.8m. No further action is considered in order to comply with LP53 of the KLP.

Carbon Budget

The proposal is a small scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters for consideration.

Representations:

Two representations have been received. The material planning matters raised are as follows:

- The flat roof form would be out of character

Officer Response: *This is a material consideration as it relates to visual amenity. The plans have been amended with the flat roof being removed*.

- The property is in the green belt and has been extended previously
  Officer Response: *The proposals have been fully considered in terms of current policy relating to green belt*.

The representations also mention the shared access to the property being exaggerated and the extension encroaching onto the neighbour's land. Whilst access and ownership are not planning matters, the submitted plans show a red line which matches the land registry. Furthermore, whilst the submitted proposed site plan does show the shared areas, none of the development proposed encroaches onto said areas.

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.

Matching materials to ensure that the extensions harmonise with the host property as using alternative materials would look out of place within the street scene.

Conclusion:

This application to erect a two storey extension to the side of 26 Scopsley Lane has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions & Alterations SPD, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable.

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.

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 **Approve**

Decision Authorisation - Delegated Powers
Application Number: 2026/92210
Officer Recommendation: Approve
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 LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of the National Planning Policy Framework.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.
Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

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.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays
08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.
Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location Plan	-	1153141	07/08/2026
Existing Site Plan	(100)01	1153140	07/08/2026
Proposed Site Plan	(100)03b	1159406	30/09/2026
Existing Elevations and Floor Plans	(100)02	1153139	07/08/2026
Proposed Elevations	(100)05b	1159408	30/09/2026
Proposed Floor Plans	(100)04b	1159406	30/09/2026
Climate Change Statement	-	1153135	07/08/2026

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.

The initially submitted plans raised concerns in terms of design and scale. The scheme was amended to alter the roof over the two storey element and remove the single storey element. The amended plans reduced the scheme and as such have not been re-advertised.

Report Dated 05/10/2026