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:	**2026/62/92483/E**
Site Address:	51, Stocks Way, Shepley, Huddersfield, HD8 8DL
Description:	Erection of single and two storey side extension and alterations
Recommending Officer:	Laura Yeadon

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: 03-Nov-2026

DECISION LEVEL:

This is a Schedule 1 Application. By virtue of Regulation 4, it must be dealt with under delegated powers.

Site Description

51 Stocks Way is a two storey semi-detached dwelling located within an area without notation within the Kirklees Local Plan. The property is constructed from facing brickwork with a concrete tiled hipped roof. To the front of the property is a lawned garden with a driveway to the side leading to a detached garage. To the rear of the property is a single storey extension with a larger amenity space.

The surrounding area is predominantly residential with a number of dwellings within the vicinity benefitting from being extended in a similar manner to that as proposed.

Description of Proposal

The application is for the erection of a two storey side extension and single storey rear extension.

Side extension

The proposed two storey side extension would lie flush with the front elevation projecting to the side by 2 metres, spanning the full depth of the property lying flush with the rear elevation of the two storey part of the property. The eaves height would match the existing with the roof line maintaining its hipped design with the ridge line also a continuation of the existing.

The proposed construction materials would be facing brickwork to the front and rear elevations with a light beige coloured render to the side elevation with a concrete tiled roof.

Single storey extension

It is proposed that the existing single storey extension would be extended to the side to infill the section between the existing rear elevation and the side elevation of the proposed two storey extension. The projection of the extension would be a continuation of the existing measuring 2.5 metres with an eaves height and ridge height to match the exiting. It is also proposed that the existing window within the rear elevation of the existing extension would be enlarged to create patio doors.

The proposed construction materials would be render to the side elevation with facing brickwork to the rear elevation and concrete tiles for the roof.

History of negotiations/amendments received

No negotiations have taken place with the applicant/agent due to the application being acceptable in its submitted format.

Relevant Planning History

2026/92930 – Certificate of lawfulness for proposed erection of single storey side extension and hip to gable roof alteration – Granted

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via site notice.

Final publicity date expired 15th October 2026

Kirkburton Parish Council – replied with no comments

As a result of the public consultation period no representations have been received.

Consultation Responses

None required

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 without notation on the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1**– Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways safety
- **LP 22** - Parking
- **LP 24** – Design
- **LP 51** – Protection and Improvement of Local Air Quality
- **LP 53** – Contaminated and unstable land

Supplementary Planning Documents:

- House Extensions and Alterations SPD

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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 3 – Decision Making Policies
- Chapter 4 – Achieving Sustainable Development
- Chapter 5 – Meeting the challenge of climate change
- Chapter 14 – Achieving well designed places
- Chapter 17 – Pollution, public protection and security

Legislation

- The Town & Country Planning Act 1990 (as amended).
- The Planning and Compulsory Purchase Act 2004.

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:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

"The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

In terms of extending and making alterations to a property Policy LP24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 14 of the National Planning Policy Framework regarding design, including the adopted Kirklees Supplementary Planning Document on House Extensions (SPD).

Within the adopted SPD, Key Design Principles 1 and 2 are relevant to the consideration of the principle of the development & visual amenity and are considered within the following report. These policies state the following:

- Principle 1 – 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."

- Principle 2 – 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 detail."

With specific regard to the House Extensions and Alterations SPD the other key designs principles for consideration are:

- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

With specific regard to the proposed development the SPD states that in terms of side and rear extensions, the SPD states:

Two storey side extensions

In Section 5.19 of the SPD refers to side extensions and the potential impact they could significantly have on the character of the original house and the street. Adequate space between buildings should be retained to provide a sense of space which is important to the character of an area. 5.20 states two-storey side extensions should:

- not take up all or most of the space to the side of a house;
- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property;
- and be set back at least 500mm from the front wall of the house.

5.21 includes first-floor side extension which indicates how spaces between houses, are important in providing a sense of space, local character and attractive appearance of an area and should be retained.

Single storey rear

Section 5.1 followed by 5.2 of the SPD refers to the general rules, where a rear extension should:

- Preserve a back garden of a reasonable size, with a general principle that at least half the garden area is retained;
- Be set behind the original building, and not projecting beyond the sides;
- Maintain external access to the rear garden;
- Respect the original house and garden in terms of its size and scale;
- Use appropriate materials which match or are similar in appearance to the original house; and
- Not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.

Section 5.6 of the SPD specifically refers to single storey rear extension which should:

- be in keeping with the scale and style of the original house
- not normally cover more than half the total area around the original house (including previous extensions and outbuildings);
- not exceed 4 metres in height; not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;
- where they exceed 3m in length the eaves height should generally not exceed 2.5 meters; and
- retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.

The above listed policies and guidance within the SPD are taken into account within sections below of this report.

2 – Impact on visual amenity:

Policy LP24 of Kirklees Local Plan and Chapter 14 of the NPPF set out that development should be of an acceptable design. 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 proposed extensions to the property are modest in size and would enable the reconfiguration of the internal accommodation with no increase in the number of bedrooms provided.

In terms of the two storey side extension and its compliance with the SPD, the extension would take up most of the space to the side of the property however it would retain a gap of 0.6 metres rather than the 1 metre prescribed and would not be set back from the front elevation at least 500mm. Therefore, the proposed scheme would not comply with the requirements of the SPD.

At the heart of the SPD is a requirement to either 'comply' with the SPD or if not, 'justify' the proposed scheme. As part of the submission of this application, the Agent has submitted an SPD Planning Supporting Statement in order to 'justify' the proposed development of the property.

The Statement identifies both in writing and via screenshots that a number of properties within the same cul-de-sac have both single and two storey side extensions which have flush front elevations, although it is acknowledge that some may have been constructed prior to the adoption of the SPD. In terms of not setting the extension back from the frontage, the Statement cites the both the construction complications and the internal layout issues, should the extension be set back, along with examples of other developments within the cul-de-sac.

Officer's have considered the justification put forward within the Statement and note that the extension would still allow external access to the rear of the property as a 0.6 metre gap is proposed between the side elevation and the side boundary would be retained. Coupled with this, the hipped roof would be retained, and the finished floor level of the property is lower than the adjacent pair of semi-detached properties west. As such, should the adjacent neighbour also extend to the side, a terracing effect would not occur due to the separation, hipped roof and topography. As such, in this instance, the proposed two storey extension is considered acceptable.

In terms of the single storey rear extension this would infill the space between the side elevation of the existing single storey extension and the proposed side elevation of the proposed two story side extension. It would result in a development which would preserve a reasonable amount of amenity space. The extension would maintain external access to the rear garden and is of a limited size and scale, not exceeding 3 metres projection.

The proposed construction materials would be the reuse of the facing brickwork from the side elevation utilised in the front and rear elevations of the extension and a beige coloured render applied to proposed side elevation.

It is therefore considered that the proposed works relate satisfactorily to the host building and have an acceptable impact on visual amenity, in accordance with the requirements of policies LP1, LP2 & LP24 of the Kirklees Local Plan, having regard to principles 1, 2, 7 and 9 of the Supplementary Planning Document on House Extensions (SPD) and policies within Chapter 14 of the National Planning Policy Framework.

<u>3 – Impact on residential amenity</u>:

Policy LP24 of the Kirklees Local Plan and Chapter 17 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.

In terms of the impact of the two store extension, this would be set on a slightly lower ground level than the adjacent property which hosts a ground floor door and first floor window within its side elevation. The first floor window is obscurely glazed and the extension would be set in from the shared boundary by 0.6 metres. The driveway to the adjacent property would separate the side extension from the neighbour with the hip roof design retained, therefore retaining a sense of space between the buildings.

There are no proposed openings within the side elevation of the extension that would result in harm from overlooking at close quarters. As the proposed two storey extension would lie flush with the existing front and rear elevations, no established separation distances would be compromised as a result of the works.

In terms of the attached neighbouring property due to the single storey extension adjacent to this neighbour being retained as existing.

Therefore, it is considered that the proposed extensions are acceptable in terms of residential amenity. It is considered there will be no significant impact on neighbouring properties, in terms of overshadowing, overbearing or overlooking, and the proposal would accord with the aims of policies LP1, LP2 & LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations Supplementary Planning Document as well as policies within chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan 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.

In this case it is noted that the driveway directly to the existing side elevation would be lost as a result of the works. However, this is not considered wide enough to provide access to the garage in any event. It is noted a single storey side extension could be constructed by utilising pd rights which would also see loss of the side driveway. In this case given the realistic fall back it is considered the impact of the proposal would not be significantly greater than that which can take place in any event.

No additional bedrooms are proposed and therefore, it is considered that there would be an increased demand for off-street parking over and above the existing arrangement and therefore the works would comply with the aforementioned policies.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

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.

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.

A Climate Change Statement has been submitted which identifies proposed mitigation measures.

Coal legacy – The site is located within the Coal Authority's "Development Low Risk Area". There is no statutory requirement to consult the Coal Authority regarding development within the "Development Low Risk Area", instead an informative note can be appended to the decision notice which constitutes the deemed consultation response. The application site falls within an area at low risk of ground movement as a result of past mining activities as determined by the Coal Authority. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with Policy P2 of the National Planning Policy Framework.

6 – Representations:

None

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: 2026/92483

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 51 of the Planning and Compulsory Purchase Act 2004.

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 Policies LP1, LP2, LP21, LP22, LP24, LP51 and LP53 of the Kirklees Local Plan, principles 1, 2, 3, 4, 5, 6, 7, 9, 14, 15 and 16 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations and to accord with Policies within Chapters 3, 4, 5, 14 and 17 of the National Planning Policy Framework.

3. The front and rear elevation external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building. The side elevation shall be constructed from either external materials which in all respects match those used in the construction of the existing building or external materials with a render finish. The materials of construction shall be completed prior to the development being brought into use and retained thereafter.
Reason: In the interests of visual amenity and to accord with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Key Design Principles 1, 2 and 9 of the House Extensions and Alterations SPD and policies within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	26/1357/01		7th September 2026
Existing block plan	26/1357/02		7th September 2026
Proposed block plan	26/1357/05a		7th September 2026
Exiting elevations and floor plans	26/1357/03		7th September 2026
Proposed elevations and floor plans	26/1357/04b		7th September 2026
SD Planning Justification Statement	26/1357		7th September 2026
Climate Change Statement	26/1357		7th September 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 2015 and otherwise actively engaged with the applicant in dealing with the application.

The Case Officer did not undertake any negotiations with the applicant due to the application being acceptable in its submitted format.

Report Dated: 30th October 2026

Coal – low