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:	**2024/62/93195/E**
Site Address:	364, Oxford Road, Gomersal, BD19 4JZ
Description:	Erection of rear dormer and single storey extensions (within a Conservation Area)
Recommending Officer:	Faiza Bano

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.

Emma Thompson

AUTHORISED OFFICER

Date: 20-Jun-2025

OFFICER REPORT

Site Description

The site in which the application relates to is 364, Oxford Road, Gomersal, BD19 4JZ; a two-storey detached dwelling constructed from natural stone and roofed with slate tiles.

The property has previously been extended.

The dwelling is set back from the street scene and is sited within a conservation area, opposite a listed building.

Description of Proposal

The description of development has been amended to reflect the revised proposal. The application is for the erection of a dormer and single storey extension to the rear of the existing dwelling.

Single Storey Rear Extension

The proposed alterations would feature a flat roof and will be constructed using materials that match the existing materials of the dwelling. The extension will have a depth of 4m, a width of 4.5m, an eaves height of 2.5m, from ground floor level, and an overall height of 3.5m. The single storey rear extension will feature a triple glazed window and door system with metal frames in the colour ‘Merlin Grey’.

Dormer

The depth of the dormer extension above the original dwelling house, situated within the roof plane, measures 1.8m at eaves height, and overall height of 3.2m. the dormer has a maximum depth of 5.3m and a width of 4.1m.

The dormer is to be roofed in blue slate to match the existing dwelling and are to be finished with aluminium/zinc dark grey cladding. The dormer will feature a glazing system facing the rear amenity area of the site and will include roof lights.

History of Negotiations

Amendments were sought to reduce the proposed extension to single storey. The revised scheme consists of a rear facing gable end dormer and a single storey flat roof sun lounge.

This was due to the concerns regarding the impact the proposed two-storey rear extension would have had on the character and appearance of the host dwelling, particularly in the context of its setting within the conservation area. The existing property features a distinctive cat slide roof to the rear, which is a characteristic architectural element contributing to the building's traditional form and the wider historic streetscape. The introduction of a two-storey extension in this location would have a disrupted the original roof line and unbalanced the rear elevation, resulting in a visually intrusive addition that would undermine the architectural integrity of the dwelling.

The site has a previous approval for a rear dormer and the visual and spatial impact is significantly more modest and more sympathetic to the host building. In this context, the dormer is considered a more acceptable form of development, particularly as it retains the overall massing and character of the rear roof slope.

Relevant Planning History

Planning Ref: 2002/91472
Location: 364, Oxford Road, Gomersal, Cleckheaton.
Proposal: Erection of First Floor Extension and Detached Garage/Garden Store (Within Conservation Area)
Decision Code: Fc
Decision: Fc - Conditional Full Permission
Decision Date: 2002-06-11

Planning Ref: 90/03655
Location: 364, Oxford Road, Gomersal, Cleckheaton.
Proposal: Erection of Garage and Stable
Decision Code: Fc
Decision: Fc - Conditional Full Permission
Decision Date: 1990-10-15

Representations

The application was advertised by neighbour notification letters, a press notice, and a site notice which expired on 31/12/2024.

No representations were received as a result of site publicity.

Consultation Responses

KC Conservation and Design –

Comments to the original scheme:

The submitted Heritage Statement/Impact Assessment is deemed insufficient in evaluating the impacts of the proposed development. While it acknowledges the Gomersal Conservation Area, it lacks context and

understanding of the site's location and fails to mention the nearby Grade II Sigston House.

The site is situated at the northern end of the Gomersal Conservation Area, with visibility from Oxford Road to the west and Cambridge Chase to the north. A public right of way to the east also provides views of the site.

The building, contemporary and similar in age to Sigston House, is not listed but is considered a non-designated heritage asset that positively contributes to the area's character and the setting of Sigston House.

Previous consent was granted for a rear first-floor extension with a lesser impact. The proposed extension, of reasonable size and scale, incorporates contemporary features. However, conservation concerns remain about its impact on the building's character and the area's overall character. A balanced judgment is required to determine if the benefits outweigh the potential harm.

Comments to the revised scheme:

KC Conservation and Design were informally consulted on the revised scheme and had no objections.

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 located within the Gomersal Conservation Area on the Kirklees Local Plan.

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 21** – Highway Safety
- **LP 22** – Parking
- **LP 24** - Design
- **LP35** - Heritage

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 December 2024, 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 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate, flooding and costal change
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

The following matters are considered in the assessment below –

1) Principle of development
1) Impact on openness of Green Belt and visual amenity
1) Impact on residential amenity
2) Impact on highway safety
3) Other matters
4) Representations
5) Negotiations
6) Conditions
7) Conclusion

<u>1 – Principle of development</u>:

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.

Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 introduces a general duty in respect of listed buildings. In considering whether to grant planning permission for development which affects a listed building or its setting the Local Planning Authority should shave special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. This is reiterated within Policy LP35 of the Local Plan.

In this case, it can be stated the principle of development is acceptable subject to the assessment of impacts on heritage, visual and residential amenity and highway safety.

2 –Impact on visual amenity and the setting of the conservation area:

Key Design Principle 1 of the House Extensions & Alterations supplementary planning document (SPD) states 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 HEASPD 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.

The application seeks the erection of a gable end dormer and single storey rear extension. The dormer is to be roofed in blue slate to match the existing dwelling and are to be finished with aluminium/zinc dark grey cladding. The dormer will feature a glazing system facing the rear amenity area of the site and will include roof lights.

The single storey rear extension will feature a triple glazed window and door system with metal frames in the colour ‘Merlin Grey’.

The street scene is characterised by both soft and hard landscaping.

Consent has been previously granted for a rear first floor extension, which does appear to be more of a dormer extension and had a lesser impact. The proposed extension is located to the rear of the application site and is of a reasonable size and scale and would incorporate more contemporary features.

Historic Environment- The Conservation and Design Officer has raised concerns regarding the initial scheme and the impact the proposal would have on the street scene and the character of the area. Amended plans were sought to reduce the scale of the proposal and Conservation and Design raised no objections; it is considered that the harm from the contemporary features would not cause such harm that there is justification to refuse the application on this basis.

The proposal will now be assessed against paragraphs 207-221 of Chapter 16 of the National Planning Policy Framework (NPPF), which focuses on conserving and enhancing the historic environment.

Paragraph 207
This paragraph requires applicants to describe the significance of any heritage assets affected, including their setting. The level of detail should be proportionate to the assets' importance.

Assessment:

The proposal acknowledges the site's location within a conservation area and its proximity to a listed building. However, the initial Heritage Statement/Impact Assessment was deemed insufficient as it lacked context and did not mention the nearby Grade II Sigston House.

Paragraph 208

This paragraph emphasises the need for local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal.

Assessment:

The scheme has been assessed against the significance of the heritage assets and the impact of the revised proposals has been considered.

Paragraph 209

This paragraph 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.

Assessment:

The initial proposal for a two-storey extension was revised to a single-storey extension and dormer to reduce the impact on the character and appearance of the host dwelling and the conservation area. This revision addresses concerns regarding the conservation of the heritage asset by minimising the impact on the character of the host building and conservation area.

Paragraph 210

This paragraph discusses the need for clear and convincing justification for any harm to, or loss of, the significance of a designated heritage asset.

Assessment:

The revised proposal aims to balance the benefits of the development with the potential harm to the heritage asset. The reduction to a single-storey extension and the sympathetic design of the dormer mitigates and reduces any potential harm. In terms of harm, the updated plans indicate a sufficient design that respects the scale and details of the neighbouring properties and listed building. Impact is considered to be neutral in this regard.

Paragraph 212

This paragraph states that proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Assessment:

The revised scheme, which includes a rear-facing gable end dormer and a single-storey flat roof sun lounge, is designed to be more in keeping with the character of the conservation area and the host building. This approach aligns with the aim of preserving and enhancing the setting of the heritage asset.

Paragraph 213

This paragraph emphasises the importance of considering the impact of a proposal on the significance of a non-designated heritage asset.

Assessment:

The building is considered a non-designated heritage asset that positively contributes to the area's character. The revised proposal considers the impact on this asset and aims to ensure that the development is sympathetic to its character.

Paragraph 214

This paragraph discusses the need for local planning authorities to consider the desirability of new development making a positive contribution to local character and distinctiveness.

Assessment:

The revised proposal, with its use of matching materials and sympathetic design, aims to make a positive contribution to the local character and distinctiveness of the conservation area.

Paragraph 215

This paragraph requires local planning authorities to assess whether the benefits of a proposal outweigh any harm to the significance of a heritage asset.

Assessment:

The revised proposal has been assessed by planning officers and KC Conservation and Design have been consulted, who had no objections. The development will not result in harm that needs to be weighed against public benefit.

Heritage Assessment:

The revised proposal aims to conserve the heritage asset by reducing the scale of the development and using sympathetic materials and design.

Overall, the revised proposal appears to align with the principles set out in paragraphs 207-221 of the NPPF, aiming to conserve and enhance the historic environment while balancing the benefits of the development with the potential harm to the heritage asset.

Based on the assessment against the NPPF paragraphs, the proposed dormer and single storey rear extension is considered to have a neutral impact on the Gomersal Conservation Area. The design aims to enhance the visual amenity of the property without causing harm to the character or significance of the conservation area. Therefore, the proposal does not require any public benefit to justify the changes.

Key Design Principle 1 of the House Extension & Alteration supplementary planning document (SPD) states 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 HESPD 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.

Having taken the above into account, the proposed extensions would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policies LP24 and LP35 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:

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 and Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

Impact on 362 Oxford Road: Adjoins the application site. This property now forms part of the application site.

Impact on 2 Cambridge House located to the northwest:

Overlooking: The proposal would feature a new conservation roof light within the dormer. Given the location of the proposed dormer and the distance between the shared boundary of these properties, it is considered privacy would be retained between the properties so as not to result in overlooking.

Overshadowing/loss of light/overbearing: There is a significant separation distance, and the orientation of the dwellings ensures that the sun paths are not obstructed, and therefore no significant issues would arise regarding overshadowing/loss of light/overbearing.

Impact on Sigston House: opposite the application site to the southeast.

There is a separation distance of approximately 8.3m between the boundaries of each building. It is considered no significant issues would arise due the location of the proposal being at the rear of the application site.

Impact on 6 Scott Lane:

This property shall see additional bulk and massing to the dwelling. However, given the distance between the location of the proposal and number 6, it is considered that there will be no impact on number 6.

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The extension would not cover the entire amenity space of the application property. It is considered that the proposal would not take up a significant amount of useable amenity space and sufficient amenity space would be retained if the proposal was to receive permission. Therefore, the proposal would be acceptable in terms of the residential amenity of future occupiers of the dwelling.

In summary, due to the location of the existing dwelling and the scale of the proposed extension, there would be no significant harm to the residential amenity of neighbouring residents as a result of the proposal, in accordance with Policy LP24 of the KLP and the House Extensions and Alterations SPD.

<u>4 – Impact on highway safety</u>:

The proposals would result in some intensification of the domestic use of the property. However, due to the proposal not impacting existing parking arrangements on site and retaining adequate off street space, the proposal 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 and Alterations SPD.

5– Other matters:

Carbon Budget

The proposal is a 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.

Ecology

The application site is located within a Bat alert layer on the Councils GIS mapping system. Due to the scale of the application, a note will be added to the application notifying the applicant, should permission be granted.

6 – Representations:

No representations received.

6 – Negotiations:

Amendment sought to reduce the scale of the proposal to a dormer and single storey rear extension.

7 – Conclusion:

This application for the removal of an existing outbuilding and the erection of dormer and single storey rear extension at 364, Oxford Road, Gomersal, BD19 4JZ 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 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: 2024/93195

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.

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 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 and Alterations SPD and the aims of the National Planning Policy Framework.

2. The external facing materials of the dormer and 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 Policies LP24 and LP35 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the aims of chapters 12 and 16 of the National Planning Policy Framework.

3. The roofing materials of the dormer extension hereby approved shall be natural blue slate to match the existing.
Reason: In the interests of visual amenity and to accord with Policies LP24 and LP35of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the aims of chapters 12 and 16 of the National Planning Policy Framework.

NOTE: The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484

221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

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:

1. 07.30 and 18.30 hours, Mondays to Fridays
1. 08.00 and 13.00hours, Saturdays
2. 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.
and LP52 of the Local Plan

Plans and specifications schedule: -

Plan Type	**Reference**	**Date Received**
Proposed Elevations	Proposed elevations - amended	01-May-2025
Grouped Plans and Elevations	Proposed plans and elevations – amended	01-May-2025
Proposed Site / Block Layout	-	19-Nov-2024
Location Plan	-	19-Nov-2024
Grouped Plans and Elevations	-	19-Nov-2024
Conservation/Heritage Assessment	Heritage Statement	19-Nov-2024
General	Climate Change Site	19-Nov-2024

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.

No amendments were requested in this instance.

Report Date: 22/05/2025