

**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:	2025/62/90574/E
Site Address:	147, Old Bank Road, Earlsheaton, Dewsbury, WF12 7AQ
Description:	Erection of two storey side and rear and single storey rear extensions
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: 24-Jun-2025

OFFICER REPORT

Site Description

147 Old Bank Road is a stone front, detached dwelling with a garage attached to the side. The property has gardens and a drive to the front and an enclosed garden to the rear.

The property is located on a residential street with dwellings to each side and on the opposite side of the road. The dwelling backs onto the grounds of Earlsheaton Technology College.

Description of Proposal

The application is seeking planning permission for a two storey side extension and a single & two storey rear extension.

The two storey side extension would be set back 0.5m from the front of the dwelling with a projection of 2.4m. The roof form would be hipped.

The rear extension would project 6m on the ground floor reducing to 3m at first floor and would extend across the width of the original house. The roof form over the single storey element would flat with a lantern and the roof over the first floor element would be hipped.

The walls of the extension would be constructed using stone on the front elevation with brick for the remaining elevation and with tiles for the roof covering.

Relevant Planning History

2025/90538 – Larger home notification – Agreed

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 the lack of set back together with lack of gap to the side boundary. Amended plans have been sought and received which provide a set back and set down with a gap to the boundary. The alterations have reduced the scheme and as such have not been advertised.

Representations

The application was advertised by neighbour letters, which expired on 18/04/2025

As a result of the above publicity, no representations have been received.

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

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 change, flooding and coastal change

Assessment

Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). 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 the NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions & Alterations SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

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 on to 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 proposal under consideration consists of two distinct elements which shall be addressed below.

Two storey side extension

Paragraphs 5.15, 5.19 & 5.21 of the House Extensions & Alterations SPD are of relevance with regards to the side extension as they 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 is appropriately set back from the front elevation and set down from the main ridge line, with a hipped roof form that reduces its visual bulk and prominence. While the gap to the side boundary is narrower than would typically be supported, in this instance, the specific site context justifies the proposal. The detached nature of the host dwelling and the modest scale of the neighbouring side extension help to ensure that a sufficient sense of space is maintained between properties. The use of stone to the front elevation and brick to the side and rear with tiles for the roof covering, matching the materials of the main dwelling, ensures a visually coherent and sympathetic addition to the property. On balance, the proposal is considered acceptable in terms of visual amenity.

Single & two storey rear extension

Paragraphs 5.1 and 5.2 of the House Extensions & Alterations SPD go into further specific detail regarding rear extensions requiring development to maintain the quality of the residential environment, respect the original house and use appropriate materials.

The proposed single and two-storey rear extension is of a scale and design that is considered to respect the character and appearance of the host dwelling. The ground floor element projects further than the first floor, consistent with the depth approved under a larger home extension notification. The property benefits from a generously sized rear garden, which allows the extension to be accommodated without resulting in overdevelopment of the site, while still retaining a reasonable level of private amenity space. The proposed use of brickwork for the walls and tiles for the roof to match the existing dwelling ensures visual continuity and integration with the host property. On balance, the proposal is considered acceptable in terms of visual amenity.

Cumulative Impact

The impact of the extensions taken together are considered to be acceptable in this instance due to the detached nature of the property and the related site size.

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 12 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 front or rear which could be affected by the works proposed.

Impact on 145 Old Bank Road

The adjacent dwelling occupies a position to the south west of the host property. A separation distance of over 4 metres would be maintained between the two dwellings, and an existing outbuilding along the boundary further limits any potential impact at ground floor level. The extension would project 6 metres at ground floor, which has been previously agreed under the larger home extension notification scheme, and 3 metres at first floor. Given the proposed set back and the overall form of the development, there is limited potential for overshadowing or an overbearing impact. The proposed windows would face into the applicant's own rear garden, thereby avoiding any issues of overlooking or loss of privacy. The development is therefore considered acceptable in terms of residential amenity.

With regards to the impact on the adjacent 145 Old Bank Road, 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 12 of the NPPF and the proposals are considered to be acceptable.

Impact on 147a Old Bank Road

The proposed side extension would be located approximately 0.7 metres from the adjacent property to the north-east. While this represents a minimal separation distance, the neighbouring dwelling features a blank side elevation and a single-storey extension along the shared boundary, which help to mitigate any potential impacts. As a result, the proposal is not considered to give rise to significant overshadowing or an overbearing effect. The proposed window positions would face into the applicant's own amenity spaces albeit a little closer to the shared boundary than the existing dwelling. That being said, they offer limited opportunity for overlooking or loss of privacy. The side extension is therefore considered acceptable in terms of its impact on neighbouring residential amenity.

The proposed rear extension is not considered to result in any unacceptable harm to the residential amenity of the neighbouring property to the north-east. The extension would be set back from the shared boundary, helping to reduce its visual impact. It would project 6 metres at ground floor level, which has been previously agreed under the larger home extension notification scheme, and 3 metres at first floor. The degree of separation, combined with the set

back, ensures that there is limited potential for overshadowing or an overbearing effect. All proposed windows would face into the applicant's own amenity space, thereby avoiding any issues of overlooking or loss of privacy. As such, the proposal is considered acceptable in terms of its impact on neighbouring residential amenity.

With regards to the impact on the 147a Old Bank Road, 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 12 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 12 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will result in some 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:

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:

None

Negotiations:

None

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 and a single & two storey extension to the rear of 147 Old Bank Road 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: 2025/90574

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 aims of chapter 12 of the National Planning Policy Framework.

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	-	1079634	14/03/2025
Block Plan	-	1079631	14/03/2025
Existing Elevation and Floor Plans	-	1079633	14/03/2025
Proposed Elevation and Floor Plans	-	-	06/06/2025
Climate Change Statement	-	1079629	14/03/2025

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 the lack of set back together with lack of gap to the side boundary. Amended plans have been sought and received which provide a set back and set down with a gap to the boundary. The alterations have reduced the scheme and as such have not been advertised.

Report Dated 19/06/2025