

**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:	<b>2025/62/91341/E</b>
Site Address:	4, South View, Savile Town, Dewsbury, WF12 9LE
Description:	Erection of second floor extension
Recommending Officer:	Jennifer Booth

**DECISION - REFUSE**

**I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date: 24-Jul-2025**

## **OFFICER REPORT**

### **Site Description**

4 South View is a stone built, mid-terraced property with a single storey extension to the front, small enclosed area at the front and single storey rear extensions which have filled the originally modest yard at the rear.

The property is located on a residential street with similar properties surrounding, most of which have been extended and altered.

### **Description of Proposal**

The applicant is seeking permission for a second floor extension facilitated by raising the roof.

The eaves height would increase from 5.7m to 8.1 (2.4m increase) and the overall height would increase from 7.4m to 9.6m (2.2m increase). The pitched roof would be replicated and the windows would align with the windows below.

The walls would be constructed using stone with tiles for the roof covering.

### **Relevant Planning History**

2013/93366 – raising roof - 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 proposals do not comply with the SPD in terms of visual and residential amenity. Amended plans have not been sought.

### **Representations**

The application was advertised by site notice, which expired on 30/06/2025

As a result of the above publicity, one representation has been received. No material planning matters have been raised, the neighbour is concerned at the potential for damage and mess during construction.

### **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 27<sup>th</sup> February 2019).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map

On 12<sup>th</sup> 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 27** - Flood risk
- **LP 30** – Biodiversity

Kirklees Council adopted supplementary planning guidance on house extensions on 29<sup>th</sup> 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 6<sup>th</sup> 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
- Chapter 15 – Conserving and enhancing the natural environment

## **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.

It is acknowledged that the character of Savile Town is distinctly urban, comprising predominantly older terraced properties that have undergone substantial rear and roofscape extensions. However, the properties along South View generally maintain a consistent ridge height of approximately 8 metres above pavement level. While it is noted that three properties within this row have been extended upwards, these developments were approved prior to the adoption of the Kirklees Local Plan (KLP) and the House Extensions Supplementary Planning Document (SPD). Given that the row consists of 16 properties, the limited number of upward extensions does not represent a significant shift in the overall character of the street scene.

The current proposal seeks to raise the height of the host property by an additional 2.4 metres, which would result in a visually incongruous feature within the row. The House Extensions SPD, particularly Key Design Principles KDP1 and KDP2, places strong emphasis on preserving the character of both the host property and the wider area. This document carries considerable weight in the assessment of planning applications. There is no fallback

position under the General Permitted Development Order (GPDO), due to the age of the property. Furthermore, the small number of similar extensions within South View does not provide sufficient precedent to justify a development that conflicts with current policy. Indeed, this was recently affirmed in a nearby appeal decision (Ref: APP/Z4718/D/24/3354710), where the Inspector noted at paragraph 7 that “Whilst there are some other properties with extensions to the roof space within the locality this does not represent the predominant character of the area with the majority of roof slopes being unaltered and dwellings being two-storey.” The proposal would therefore appear incongruous and out of keeping with the established built form, resulting in harm to the visual amenity of the area.

As such, the proposed upward extension, by virtue of its scale and prominence, would be out of keeping with the immediate building group and is considered unacceptable in terms of visual amenity.

Having taken the above into account, the second floor extension would result in harm in terms of visual amenity for both the host dwelling and the wider street scene, thereby failing to comply with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout, 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 rear of the dwelling which could be affected by the works proposed.

#### *Impact on 3 South View*

Extending the host property upwards would have no impact on the adjoining dwelling in terms of overbearing or overshadowing given the spatial relationship with the adjacent dwelling.

With regards to the impact on the adjoining 3 South View, 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 5 South View*

Extending the host property upwards would have no impact on the adjoining dwelling in terms of overbearing or overshadowing given the spatial relationship with the adjacent dwelling.

With regards to the impact on the adjoining 5 South View, 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 4 Carlton Terrace*

The neighbouring properties to the front are situated some 33m from the host property. Given the separation, the proposed extensions would have limited potential to result in any significant overbearing, overshadowing or overlooking.

With regards to the impact on the neighbouring 4 Carlton Terrace, 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, and it is noted that there is no formal off street parking at present. However, the increase in accommodation over and above the existing is limited. As such, whilst not ideal, the scheme is not considered to be significantly harmful in terms of highway safety. The proposals broadly comply with Policy LP22 of the Kirklees Local Plan along with Key Design Principle 15 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.

### *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:

One representation has been received. No material planning matters have been raised, the neighbour is concerned at the potential for damage and mess during construction. This is not material as it relates to private matters.

### Proposed conditions

None as the recommendation is for refusal.

### Conclusion:

This application to erect a second floor at 4 South View 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.

The proposed raising of the roof, due to the design and height, would appear out of character with the host property and the overall character of the neighbouring dwellings within this row. Furthermore, the overall bulk and massing of the extension would not appear subservient to the original building and would therefore not promote good design. To permit the proposals would be detrimental in terms of visual amenity and contrary to policy LP24 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extensions & Alterations SPD and advice within chapter 12 of the National Planning Policy Framework.

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. For the reasons set out above it is considered that the development would not constitute sustainable development and is therefore recommended for refusal.

**Recommendation**

**Refuse**

## Decision Authorisation - Delegated Powers

Application Number: 2025/91341

Officer Recommendation: Refuse

### Reason for refusal

The proposed raising of the roof, due to the design and height, would appear out of character with the host property and the overall character of the neighbouring dwellings within this row. Furthermore, the overall bulk and massing of the extension would not appear subservient to the original building and would therefore not promote good design. To permit the proposals would be detrimental in terms of visual amenity and contrary to policy LP24 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extensions & Alterations SPD and advice within chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location& existing plans	1	1089917	29/05/2025
Proposed floor plans	2	1089918	29/05/2025
Proposed front & rear	3	1089919	29/05/2025
Proposed sides	4	1089920	29/05/2025
Flood risk	-	1089922	29/05/2025
Climate change statement	-	1089921	29/05/2025

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 proposals do not comply with the SPD in terms of visual and residential amenity. Amended plans have not been sought.

Report Dated 

18/07/2025
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