

**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:	2025/62/91497/E
Site Address:	52, Woodside Crescent, Staincliffe, Batley, WF17 7DY
Description:	Raising of roof height and erection of dormer windows to rear
Recommending Officer:	Jennifer Booth

DECISION - REFUSED

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.

Emma Thompson

AUTHORISED OFFICER

Date: 12-Aug-2025

OFFICER REPORT

Site Description

52 Woodside Crescent is a brick built, end terraced property which has a large side extension and a single storey front. The dwelling has a garden to the front, drive to the side and enclosed yard to rear.

The property is located on a residential street of similar properties in terms of age and style.

Description of Proposal

The applicant is seeking permission to raise the roof by 0.5m and formation of a rear dormer.

The proposed dormer extension would be located within the same roof structure as that to be extended in height and would be a width of 6.2 metres, height of 2 metres and would be set within the proposed roof form. The dormer face and cheeks would be to match the existing roof.

Relevant Planning History

2008/92307 – erection of extensions – refused

2008/93678 – erection of extensions - 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 increase in the roof height would result in a prominent and incongruous feature in the street scene. Amended plans have not been sought.

Notwithstanding this, the Agent was informed that Officer's were minded to recommend refusal of the application by reason of the increase in roof height resulting in a visually intrusive and incongruous addition that would disrupt the uniform character and roofline of the surrounding street scene. Comments in response to this update have been received and shall be addressed within the assessment below.

Representations

The application was advertised by site notice, which expired on 01/08/2025

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 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.

Paragraph 4.2 of the House Extensions & Alterations SPD states that “the local context, character and identity of the area will be a significant factor in determining the appropriate form and scale of alterations”. Paragraph 4.6 states “where extensions seek to differ from the existing materials, design, **roof pitch** or detailing, proposals will be considered on a case by case basis.” In point 5.25 & 5.27 of the House Extensions & Alterations SPD, it does suggest that rear dormers can be considered to be appropriate dependent upon design and size.

The application site forms part of a continuous row of dwellings of uniform height and consistent roofline. The proposed increase in the roof height would disrupt this uniformity, resulting in a development that would appear unduly

prominent and visually incongruous within the established street scene. As such, the proposed alteration is considered to be out of character with the surrounding built form and would result in harm to the visual amenity of the area. While the rear dormer, when considered in isolation, could be acceptable in principle, its acceptability is outweighed by the overall harm arising from the increased roof height. Therefore, the proposal is considered unacceptable in visual terms.

Having taken the above into account, the proposed increase in roof height would result in an incongruous addition that would be overly prominent within the established street scene, disrupting the uniform character and consistent roofline of the surrounding dwellings. This alteration would appear visually intrusive and out of keeping with the form, scale, and layout of the host property and its context. As such, the proposal would fail to form a subservient addition and would not respect the character of the existing building. Consequently, the development would result in significant harm to the visual amenity of both the host dwelling and the wider area. The proposal is therefore contrary to Policy LP24(a) and (c) of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions & Alterations SPD, and the aims of Chapter 12 of the National Planning Policy Framework, which seek to ensure high-quality design that respects local character.

As part of the comments received by the Agent on 6th August 2025, in terms of visual amenity, it is stated that:

- *Policy LP24 of the Kirklees Local Plan encourages high-quality design that is responsive to the local character, but also allow for innovation and modernisation. We believe the proposal aligns with this policy in spirit and intent.*
- *Key Design Principles 1 and 2 of the House Extensions and Alterations SPD emphasise the importance of subordination and respect for scale – both of which have been considered in the current scheme.*
- *In our view, the proposed roof alteration is not only modest but reflects other development within the local area. We would welcome an opportunity to provide photographic evidence or planning precedents if helpful.*

Officers have considered these comments and remain of the opinion that the proposal would introduce an increased roof height which would not be in keeping with or compliment the linear form of the terraced row or neighbouring terraced rows. The increase in height would detract from the host and surrounding properties which would be to the detriment of the visual amenity of both the host dwelling and within the immediate vicinity. As such, Officers remain concerned with the impact of proposed works and the comments received do not overcome the concerns which were relayed to the Agent.

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.

The proposed 0.5m increase in roof height is considered to be modest and would not result in any significant harm to the residential amenities of neighbouring occupiers in terms of overbearing impact or loss of light. The roof lights proposed within the front roof plane would not afford any direct views into neighbouring properties due to their angled positioning and the degree of separation from adjacent dwellings. To the rear, the proposed dormer windows would overlook the rear gardens of neighbouring properties; however, this relationship is typical of two-storey residential development and reflects the existing first-floor rear-facing windows. As such, the level of overlooking would not be materially different from the current situation, and the proposal is not considered to result in any unacceptable loss of privacy or amenity to neighbouring residents.

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 side 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

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application to raise the roof and add a rear dormer at 52 Woodside Crescent 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 increase in roof height would result in a visually intrusive and incongruous addition that disrupts the uniform character and roofline of the surrounding street scene. It fails to respect the scale, form, and layout of the host property, causing harm to the visual amenity of both the dwelling and wider area. The proposal therefore fails to comply with Policy LP24(a) and (c) of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions & Alterations SPD, and 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:** 2025/91497**Officer Recommendation:** Refuse**Reasons for refusal**

1. The proposed increase in roof height would result in a visually intrusive and incongruous addition that disrupts the uniform character and roofline of the surrounding street scene. It fails to respect the scale, form, and layout of the host property, causing harm to the visual amenity of both the dwelling and wider area. The proposal therefore fails to comply with Policy LP24(a) and (c) of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions & Alterations SPD, and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location plan	-	1091030	30/06/2025
Existing & proposed plans	-	1093839	30/06/2025
Climate change statement	-	1093746	30/06/2025
Email from Agent			06/08/2025

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 increase in the roof height would result in a prominent and incongruous feature in the street scene. Amended plans have not been sought. Comments in response to these concerns have been received however these do not overcome the concerns Officers have raised.

Report Dated 05/08/2025

