

**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:	2025/62/91776/E
Site Address:	26, Crown Flatt Way, Dewsbury, WF12 7TE
Description:	Erection of single storey side and rear extensions
Recommending Officer:	Jennifer Booth

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: 10-Sep-2025

OFFICER REPORT

Site Description

26 Crown Flatt Way comprises a two-storey, semi-detached brick dwelling with a pitched tiled roof, located within a suburban residential estate. The property features a modest front garden, a hardstanding driveway for two vehicles, and a detached garage with an adjoining blue-clad lean-to structure. A small coniferous tree and refuse bins are situated to the side of the driveway.

The dwelling benefits from a private rear garden and a single-storey conservatory to the rear, providing additional living space. The surrounding area is characterised by similar residential properties with consistent scale, design, and building lines. The site is level and accessed directly from the adopted highway, which includes footpaths and street lighting.

Description of Proposal

The applicant is seeking permission for a porch to the front and to replace the detached garage and conservatory with a side and rear extension.

The porch to the front project 1.5m and would have a width of 2.2m. The roof form would be a combination of pitch and lean to.

The side extension would be set back 2m and would project 3.8m from the original side wall of the dwelling, extending 3m beyond the rear wall and extending across the width of the dwelling. The roof to the side would be pitched and the roof at the rear would be lean to.

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

Relevant Planning History

2007/90454 – erection of conservatory - approved

Representations

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

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 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.

Single storey side extension

Paragraphs 5.15 & 5.16 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 development involves replacing an existing garage with a single-storey side extension. The extension will be set back from the front elevation of the property and constructed using materials that match the existing dwelling, including brickwork, roof tiles, and window styles.

The design is modest in scale and remains subordinate to the main dwelling. The setback reduces its visual prominence from the street, helping it integrate more effectively with the existing built form. The use of matching materials ensures continuity in appearance and prevents any visual disruption to the character of the property or surrounding area.

The proposal is considered to have no significant adverse impact on visual amenity. It respects the architectural style of the host dwelling and contributes positively to the overall appearance of the property. The replacement of the

garage with a more cohesive structure may enhance the visual quality of the site.

Single 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 development involves the replacement of an existing conservatory with a single-storey rear extension. The extension will project 3 metres from the original rear wall of the property and will span the full width of the dwelling, including extending to the rear of the proposed side extension. It will be constructed using materials that match the existing dwelling, including brickwork, roof tiles, and window styles.

The extension is of a modest scale and is designed to remain subordinate to the main dwelling. Its rear location ensures it will not be visible from the public highway, thereby minimising any impact on the wider streetscape. The use of matching materials ensures visual continuity with the existing property and helps the extension blend seamlessly with the original structure.

The proposal is considered to have no adverse impact on visual amenity. It respects the character and appearance of the host dwelling and surrounding area, and the replacement of the conservatory with a more integrated and cohesive structure may enhance the overall visual quality of the site.

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.

Impact on 24 Crown Flatt Way

The side extension would be constructed on the opposite side of the host property to the adjoining dwelling and as such would result in no overlooking, overshadowing or overbearing.

The rear extension would be constructed along a shared boundary. However, the projection is limited to 3m and the extension would be replacing the existing conservatory with no additional potential for any further overshadowing or overbearing impact. The windows proposed are in the rear elevation with views into the applicants own amenity space and as such there would be no overlooking.

With regards to the impact on the adjoining 24 Crown Flatt Way, 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 28 Crown Flatt Way

The side extension would be replacing the existing garage and as such would have no further impact on the adjacent property in terms of overshadowing, overbearing or overlooking. The rear element would be a new addition on the boundary. However, the adjacent dwelling is set approx. 4m from the boundary and the projection of the rear extension is limited to 3m. As such, there would be no overshadowing or overbearing. The windows proposed in the rear elevation would look into the applicants own amenity space with limited potential to overlook the neighbour.

With regards to the impact on the adjacent 28 Crown Flatt Way, 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 21 Crown Flatt Way

The property on the opposite side of the road occupies a position some 22m from the host property. The side extension would be set back from the front of the dwelling with no potential for any additional overlooking, overshadowing or overbearing.

With regards to the impact on the neighbouring 21 Crown Flatt Way, 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 3 Malvern Road

The neighbouring property to the rear occupies a position some 29m from the host property. Given the separation distance, the proposed rear extension would result in no overlooking, overshadowing or overbearing.

With regards to the impact on the neighbouring 3 Malvern Road, the scheme is considered to be acceptable 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 limited intensification of the domestic use and the loss of the garage. However, the garage is not large enough to meet modern parking standards and as such the number of off street parking spaces would remain the same. 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 given the very limited increase in development on the site.

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 single storey extension to the side and rear of 26 Crown Flatt Way 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: 2025/91776

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 & floor plans	1	1094285	04/07/2025
Proposed elevation	2	1094284	04/07/2025
Climate change statement	-	1094671	00/00/2019

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.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated 02/09/2025