

**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:	2025/62/91782/W
Site Address:	9, Blackmoorfoot Road, Crosland Moor, Huddersfield, HD4 5AQ
Description:	Erection of front dormer
Recommending Officer:	Molly Storer

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.

John Holmes

AUTHORISED OFFICER

Date: 17-Sep-2025

The Site

The application site relates to 9 Blackmoorfoot Road, a two storey terraced property in Huddersfield. The site benefits from a small patio area to the front and amenity space to the rear. It is located on a residential and commercial road whereby there is a strong sense of similarity. The surrounding area primarily consists of 2 storey terraced properties especially further up the street however there are also commercial buildings including a single storey garage and buildings with gable roofs.

The Proposal

The application is seeking planning permission for the erection of a front dormer.

The front dormer will extend 4m from the front roof plane and will have a gable roof design with an overall height of 2.45m. It will have a width of 3.5m and create space in the loft for a 4th bedroom. The dormer is set back within the roof slope and in from both sides of the roof.

Planning History

No relevant planning history at the site.

The surrounding area has a joint planning application for multiple properties:

2003/93379 – Change of use of dwelling to office with associated parking – Refused.

2003/95103 - Change of use of dwelling to office with associated parking – Refused.

2024/93597 - The proposal is for erection of single storey rear extension. The extension projects 5m beyond the rear wall of the original dwellinghouse. The

maximum height of the extension is 4m, the height of the eaves of the extension is 2.4m – Approved.

History of Negotiations

The agent was contacted to explore options of locating the dormer to the rear of the property. They justified the scheme giving reference to built form in the immediate area and pointed towards the pitched roof design and limited nature of the proposal. This was deemed acceptable by officers.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via site notice.

Final publicity date expired 8th August 2025.

No representations were made as a result of the publicity.

Consultations

No statutory consultations were requested for this application.

Allocation & Policies

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 in the local plan although does fall within an area with a known presence of bats.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision

LP24 Design
LP30 Biodiversity
LP51 Air Quality

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, 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. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment

1 – Principle of development:

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.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of extending the existing dwelling is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact on character and appearance of the area

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Key Design Principles 1 and 2 of the Council’s adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Section 5.4 of The House Extensions and Alterations SPD states that dormer windows and roof extensions reflect the character of the area, the surrounding buildings and the age, appearance and materials of the existing house. Ideally, dormers should be located to the rear of a house and should be as small as possible with a substantial area of the original roof retained.

Dormer windows should:

- relate to the appearance of the house and existing roof;

- be designed in style and materials similar to the appearance of the existing house and roof;
- not dominate the roof or project above the ridge of the house;
- be set below the ridgeline of the existing roof and within the roof plane;
- be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.

With regards to the front dormer although there are no other front dormers within the immediate area there are a mix of roof forms with No.13 having a forward projecting gable and the single storey car garage to the east having a gable roof.

The plans show a small gable roofed dormer set well within the roof slope. On balance this is considered an acceptable design. Therefore the proposal can be deemed acceptable in this instance due to its scale in relation to the host property.

A condition to ensure matching materials are used in the construction of the development, and that they are used / completed is recommended to be included to ensure satisfactory completion of the development in materials which have an acceptable visual impact.

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.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing.

Section 5.1 of the SPD states that rear extensions should maintain the quality of the residential environment and relate well to the neighbouring buildings.

The House Extensions and Alterations SPD also sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”*.
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”*.
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

There are no neighbours to the front or rear which could be affected by the works proposed.

Impact on 7 Blackmoorfoot Road property located to the east of the application site.

The dormer will be located within the roof plane and will maintain a separation distance of 1.15m to this property. As there are no windows within the roof plane of No.7 nor the side of the proposed dormer it is considered that this will not significantly overlook/overshadow. Therefore, it is considered that the proposal will not significantly impact the amenity of these neighbours.

Impact on 11 Blackmoorfoot Road – property located to the west of the application site.

The dormer will be located within the roof plane and will maintain a separation distance of 2.3m to this property. It is noted that there is a velux window within the roof plane of No.11 however there are no windows within the side of the proposed dormer it is considered that this will not significantly overlook/overshadow. Therefore, it is considered that the proposal will not significantly impact the amenity of these neighbours.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

The domestic use of the application site would increase to a four bedroom house. However, there would be no alterations to highway access, and the level of parking on the rear would be retained whilst this alone wouldn't be considered sufficient to serve a four bedroom dwelling there is a high level of on street parking available. On balance this is considered acceptable in terms of KDP 15.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Climate Change

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 pre-dates 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. This includes KDP 8-11 of the SPD.

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. A Climate Change Statement has been

submitted with this application which provides proportionate details of the response to climate change in the development.

Bats

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

The submitted plans demonstrate the roof space is already utilised. As such it is considered there would be no significant impact given the roof space would be unlikely to accommodate roosting bats. An informative note drawing the applicants attention to bats and the requirements in law in relation to their protection is recommended

6 – Representations:

None received

7 – Conclusion:

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. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/91782

Officer Recommendation: Approval

Conditions

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 (as amended).

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 to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The roof of the dormer to front hereby approved shall be constructed from materials which in all respects match those used in the construction of the existing roof. The front and sides of the dormer to front hereby approved shall be of a colour finish to match that of the roof of the existing building. The development shall not be brought into use until its completion with the materials of construction and colour finishes approved by this condition which shall be retained thereafter.

Reason: To accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing and Proposed Layout and Elevations	2442/03	-	30/06/2025
Application form	-	-	30/06/2025
Climate change statement	-	-	04/07/2025

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 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 agent was contacted to explore the possibility of relocating the dormer to the rear of the property. The agent justified the scheme in its original form and this was considered acceptable by officers.

Date: 11th September 2025