

**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>2025/62/92028/E</b>
Site Address:	13, Gardens Road, Ravensthorpe, Dewsbury, WF13 3HQ
Description:	Erection of single storey front and single and two storey rear extensions and rear dormer
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.**

John Holmes

***AUTHORISED OFFICER***

**Date: 12-Mar-2026**

## **OFFICER REPORT**

### **Site Description**

13 Gardens Road is a brick built, mid terraced property with paving to the front and a modest yard enclosed to the rear.

The property backs onto a business premises with similar residential properties to the front and sides.

### **Description of Proposal**

The applicant is seeking permission for a single storey front extension, single & two storey rear extension and rear dormer.

The front extension is proposed to project 1.5m from the original front wall of the dwelling, extending the width of the property and using a lean to roof form for the most part, with a small pitched detail over the door.

The rear extension is proposed to project 6m on the ground floor, reducing to 3m at first floor and extending across the width of the dwelling with a lean to roof form over the single storey element and a cat-slide over the first floor.

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

The rear dormer would have a width of 5.3m and a height of 1.7m with a flat roof form. The dormer face and cheeks would be clad with upvc boarding.

### **Relevant Planning History**

*At the application site:*

2025/91124 – larger home notification for 6m rear - Prior approval not required

*Within the row of terraces (no.s 1 – 15).*

#### **No.3**

2017/91159 - Erection of single storey rear extension. The extension projects 6m beyond the rear wall of the original dwellinghouse. The maximum height of the extension is 3.9m, the height of the eaves of the extension is 3m – Prior approval not required

2017/92790 - Erection of two storey rear extension – Conditional Full Permission

## No.7

2005/91454 – Erection of two storey extension and first floor link extension – Conditional full permission

## No.15

2015/93774 - 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 2.7m - Prior approval not required

2016/91199 - Erection of two storey and single storey extensions – Conditional full permission

The planning history for the host property and wider site is taken into account in the determination of this application. Review of the history demonstrates a number of prior approval applications submitted with such approval not required and providing a realistic fall back in relation to subsequent applications seeking first floor developments.

### **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. Discussions have taken place during the course of the application in terms of the design and the impact on the adjoining property. No amendments have been forthcoming and the application is progressed on the basis as submitted.

### **Representations**

The application was advertised by site notice, which expired on 22/08/2025

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

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map

The site falls within an area identified as being at risk of ground movement as a result of former mining activity and also within flood zone 2 as identified by the environment agency.

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
- **LP27** – Flood Risk

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

## **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:

Policy LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design.

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 three distinct elements which shall be addressed below.

### *Single storey front extension:*

Paragraph 5.13 of the House Extensions & Alterations SPD states that front extensions are highly prominent in the street scene. As per paragraph 5.14 of the House Extensions & Alterations SPD, careful consideration needs to be given to ensure that they are carefully designed to limit the potential for them to erode the character, they should be small and subservient to the main house and constructed using appropriate materials.

The front extension as proposed is modest in terms of scale and would allow the main house to remain the dominant feature of the site. The materials proposed include the use of brick and tiles to match the host property.

There is already a single storey element to the front of the host property and the neighbouring dwelling (no.15). The proposal would not significantly increase the scale and massing or alter the design of the existing front single storey element and would not be significantly larger than that of the adjoining

property no.15. As such this element of the scheme is considered to have an acceptable visual impact.

### *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 extensions would occupy a substantial proportion of the rear garden and, due to their overall scale and flat-roofed form, would not represent especially high-quality design. While the massing is appreciable and the roof profile is somewhat utilitarian in appearance, the use of matching external materials would help the development integrate more effectively with the host dwelling. In addition, the surrounding area contains a varied mix of rear extensions of differing scales and designs, which reduces the overall impact on visual amenity. On balance, although the scheme is not exemplary in design terms, it is not considered to result in sufficient harm to visual amenity to justify refusal.

### *Rear dormer*

In point 5.25 of the House Extensions & Alterations SPD, it does suggest that rear dormers can be considered to be appropriate dependent upon design and size.

The proposed rear dormer would not represent particularly high-quality design, with a functional appearance that provides limited enhancement to the character of the dwelling. The inclusion of horizontal uPVC cladding further emphasises its utilitarian form; however, this impact can be mitigated through the use of a grey finish secured by condition, which would help to ensure a more subdued and complementary appearance. In addition, the applicant benefits from a permitted-development fallback that could allow for a dormer of a similar size / scale to be constructed to the rear roof slope in any event.

On balance, while the design is not exemplary, the proposal is not considered to result in such harm to visual amenity as to warrant refusal when considered in the context of the realistic permitted development fall back which could allow for a similar sized structure to be in place to the rear roof slope.

The above conclusions in relation to the scheme the subject of this application are drawn in light of the context of the site and the site history. There is a realistic pd fall back for the construction of a 6m single storey extension at the ground floor level and the construction of a dormer to the rear roof slope of the host property which is of similar proportions. Furthermore, there is limited views from public vantage points of the site, although it is noted views can be taken from Huddersfield road, this is in the context of existing commercial developments and a distance view of approximately 60m.

Conditions can ensure that the use of materials of construction to the extensions match those used in the construction of the host property and that the colour finish of the dormer roof is dark grey. This will assist in ensuring the development suitably integrates with the host property.

Whilst amendment to the scheme in terms of roof form similar to that undertaken at no.15 could reduce the visual impact of the additions it is noted that the proposal does represent a lesser level of built form in terms of the roof-space which is adjacent to the shared boundary.

Weight is afforded the planning history in proximity to the site in this case, with the development at the adjoining property (no.15) and within the terraced row at no.s 3 and 7 also contributing to the altered character of the dwellings in this row. The proposal would not significantly exceed the established footprints which have been undertaken at neighbouring dwellings, although is of an altered roof design.

On balance the benefit of a reduced scale of the roof adjacent to the shared boundary, and having regard to the context of the site, limited public views of the site and the realistic pd fall back options which exist in this case it is concluded that whilst the proposal could not be concluded subservient design there is a number of factors present which lead to the conclusion there is a sufficient case in justification present in this case and the individual site characteristics applicable to the site are such that refusal on design grounds is not considered able to be substantiated having regard to the aforementioned policies.

#### 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 which could be affected by the works proposed.

#### *Impact on 11 Garden Road*

The front extension is of a limited scale and would result in no significant increase in relation to overlooking, overshadowing or overbearing. Whilst the side elevation is along the front shared boundary, the projection (being 1.5m) is such that the proposal would not lead to a significant impact in terms of light or constitute an unduly oppressive / overbearing addition.

The proposed rear extension would be constructed along the shared boundary. The ground-floor element has already been established as permitted development with prior approval not being required (and the appropriate prior approval process being undertaken – detailed in the planning history section of this report).

The proposed dormer is not considered to lead to any significant increase in overlooking than exists already and is not considered to be of a scale which leads to a significant level of overshadowing or is unduly oppressive.

The first-floor element is designed with a lean to roof, which would tie into the existing roof / proposed dormer. This is considered to be a design which to some extent reduces the overall scale and massing resulting from the proposal and would, to some degree, reduce the level of overbearing resulting from the development.

It is clear the proposal would cut a 45° line when taken from the centre of the cill of windows in the rear of no.13. Weight is afforded, in this case, the fact that the ground floor element can be constructed in any event, with this element causing the greatest extent of harm in terms of being oppressive to the outlook from the rear of no.11.

There are a number of other developments in the row which demonstrate the impact of a 3m projection at the first floor. Whilst there will be a degree of impact weight is afforded the orientation of the site being south facing. In addition the pd fall back for the ground floor element is concluded to be such that, in this case, is it not considered that refusal on ground of impact to light / outlook for the occupiers of no.11 can be substantiated in this case and the extent of additional impact resulting from the first floor element, in the context of the site and planning history of this row of terraces is considered to be such that sufficient justification is concluded to be present in this case having regard to the aforementioned policies.

#### *Impact on 15 Garden Road*

The front extension is of a limited scale and would result in no significant increase in relation to overlooking, overshadowing or overbearing. Whilst the side elevation is along the front shared boundary, the projection (being 1.5m) is such that the proposal would not lead to a significant impact in terms of light or constitute an unduly oppressive / overbearing addition.

The adjoining property to the west has their own rear extension which would mitigate the potential for the proposed works to the rear from having any harmful impact on the amenities of the occupiers of the adjoining property.

The dormer would be set up within the existing roof plane with limited potential to result in any harm to the amenities of the occupiers of the adjoining property.

With regards to the impact on the adjoining , 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 8 Garden Road*

The neighbouring property on the opposite side of the road is some 16m from the host property with the limited scale of the development proposed, there would be no overlooking, overshadowing of overbearing.

With regards to the impact on the neighbouring 8 Garden 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.

The proposal would reduce the extent of rear amenity space, however a suitable usable area will remain. In addition it is noted that the prior approval which can be undertaken for the ground floor development would have the same impact in relation to amenity space provision.

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:

Policies LP21 and LP22 of the Kirklees Local Plan 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 Principles 15 and 16 of the adopted House Extensions & Alterations SPD seek to ensure that acceptable levels of off street parking / waste storage areas are retained and are also considered to be relevant.

The proposals will result in some intensification of the domestic use. However, the ability to utilise the parking area to the front of the property would not be affected by the proposed development 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*

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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.

### *Flood Risk*

Policy LP27 of the Kirklees Local Plan relates to flood risk and sets out, amongst other things, a site specific flood risk assessment and inclusion of flood mitigation measures be undertaken for developments.

The site is in flood zone 2 where, for minor extensions an appropriate approach is for floor levels to be no lower than existing levels and flood resilient / restraint measures to be incorporated. The applicant has submitted a flood risk assessment which sets out these would be applicable in this case. As such the proposal is considered acceptable in this regard.

### *Land stability*

Policy LP53 of the Kirklees Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

The application site falls within an area at low / High risk of ground movement as a result of past mining activities as determined by the Mining Remediation Authority. Whilst falling within a high risk area the Mining Remediation Authority identify the development type as that which does not need submission of a Coal Mining Risk Assessment. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval.

### 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 front, single & two storey extension to the side and rear dormer at 13 Garden 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:** 2025/92028

**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 Policies LP1, LP2, LP22, LP24 & LP27 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and policies within Chapters 12 and 14 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. The dormer hereby approved shall be of a dark grey colour finish. The development shall be constructed in accordance with the materials of construction and colour finish approved by this condition which shall be completed prior to the development being brought into use and retained thereafter.

**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 policies within 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	-	1097789	28/07/2025

<b>Plan Type</b>	<b>Reference</b>	<b>Web ID</b>	<b>Date Received</b>
Site plan	-	1097786	28/07/2025
Proposed plans	01	1097799	28/07/2025
Flood risk information	-	1097788	28/07/2025
Climate change statement	-	1097787	28/07/2025

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 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. Discussions have taken place during the course of the application in terms of the design and the impact on the adjoining property. No amendments were forthcoming and the application has been progressed on the basis of the scheme as submitted.