

**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:	2025/62/92383/W
Site Address:	14, Edgerton Road, Edgerton, Huddersfield, HD1 5RB
Description:	Erection of rear and side dormers with rooflights at front and flat roof centrally (within a Conservation Area)
Recommending Officer:	Joshua Merriman

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.

Danielle Cooper

AUTHORISED OFFICER

Date: 21-Oct-2025

Officer Report – 2025/92383

Site Description

Site description 14 Edgerton Road, is a two storey traditional dwelling, constructed from stone. Its design takes its inspiration from the 16th century, when English architecture was influenced by both French and Flemish styles and existing English traditions. To the front of the property, is a driveway and an area of hardstanding, with a wrap around garden to the side and rear. To the South West of the main dwelling is a detached flat roof double garage. Boundary treatment consists of stone walling, timber fencing and hedging.

The site is set within a predominantly residential area and is adjacent to a number of Listed Buildings. The property is also located within Edgerton Conservation Area on the Kirklees Local Plan. The trees within the site are mainly protected by the Conservation Area, with one TPO being situated along the sites frontage.

Description of Proposal

The Scheme

The applicant is seeking permission for Erection of rear and side dormers with rooflights at front and flat roof centrally (within a Conservation Area).

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

- Climate Change Statement
- Design and Access Statement
- Conservation/Heritage Assessment

During the course of the assessment of the application, the following additional/amended plans/information was submitted for consideration:

26/09/2025 – Existing and Proposed Roof Plan 104A

History of Negotiations / Amendments Received

Following an informal consultation with KC Conservation & Design, updated plans were requested which showed the proposed dormer extensions to use traditional eaves with gutters. Upon requesting this information, amended plans were submitted by the applicant and considered acceptable.

Relevant Planning History

The most relevant planning history relates to the following planning applications

86/00675 – Extension to form conservatory (within Conservation Area) – Granted Conditionally.

86/00676 – Listed Building Consent for erection of extension to form conservatory (Unlisted Building within curtilage of Listed Building within Conservation Area) – Consent Granted.

2020/90246 – Certificate of lawfulness for proposed erection of single storey side extension and rear dormer window (within a Conservation Area) – Cert of Lawful Opps Refused.

2020/90989 – Erection of dormers and alterations (within a Conservation Area) – Refused.

- The proposed flat roof dormer by reason of its scale, spanning a large section of the roof of the host dwelling and flat roof design, would form an incongruous addition to the host dwelling, which would be widely viewed from Edgerton Road and the wider Edgerton Conservation Area. The proposal would therefore cause detrimental harm to the character and appearance of Edgerton Conservation Area and the setting of the surrounding Listed Buildings.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2024).

The application has been publicised as affecting the setting of a listed building, affecting the setting of a conservation area, on the Council's website, by site notice and by press advertisement. The expiry date of the publicity period was the 02/10/2025.

Consultation Responses

The following consultations have been undertaken for this application with the summarised responses listed below.

KC Conservation & Design – No objections. Requested that the use of traditional eaves and gutters were shown on amended plans, following the submission of this by the applicant all was considered acceptable.

Allocation and Policy

The site is allocated in the Edgerton Conservation Area within the Kirklees Local Plan (adopted 2019). The site is also located within a bat alert layer and within close proximity of two neighbouring Grade II Listed Buildings.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP30 Biodiversity and Geodiversity
- LP35 Historic Environment

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 2023, 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.

- Chapter2 Achieving sustainable development
- Chapter12 Achieving well-designed places
- Chapter14 Meeting the challenge of climate change, flooding and coastal change
- Chapter15 Conserving and enhancing the natural environment
- Chapter16 Conserving and enhancing the historic environment

Supplementary Planning Documents / guidance

- Kirklees Highway Design Guide (adopted November 2019)
- House Extensions & Alterations SPD (adopted June 2021)

- The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
The Planning and Compulsory Purchase Act 2004.
The Conservation of Habitats and Species Regulations 2017

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

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
2. Impact upon the character and appearance of the area (including impact upon historic environment)
3. Impact upon residential amenity
4. Impact upon highway safety
5. Climate Change
6. Other matters – e.g. trees/ecology (e.g. bats)
7. Representations
8. Conclusion

1 – Principle of Development

Sustainable Development

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The site is located within the Edgerton Conservation Area on the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan 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 of the KLP 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”.

The site is located within Edgerton Conservation Area. Therefore, Sections 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of listed buildings or land within a Conservation Area. This is reiterated in Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment.

Furthermore, LP35 states “development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm”. Whether harm exists, and whether it is substantial or less than substantial, will be assessed and discussed later in the report.

Paragraphs 5.24 and 5.25 of the Council’s House Extensions and Alterations SPD state that *‘Unsympathetic roof extensions and dormer windows can have a significant effect on the visual appearance of both the individual building and street scene. Poorly designed roof extensions and dormer windows can make a building appear top-heavy, cluttered and asymmetrical.’*

‘The design of dormer windows and roof extensions should 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.’

Paragraph 5.27 of the House Extensions and Alterations SPD goes on to state that dormer extensions 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; and*
- *be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.*

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 (including impact upon historic environment):

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’.*

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 and Alterations SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The recommendations of Paragraphs 5.24, 5.25, and 5.27 of the House Extensions and Alterations SPD are outlined in the 'Principle' section of this report.

Historic Environment

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the

building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Furthermore, LP35 states that: *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”*

KC Conservation & Design have been consulted on the proposal and consider the proposed works to be acceptable.

The proposed flat roof extension to the application property is not considered to be largely visible from areas surrounding the application site, as the roof will retain a pitched look to the edges and revert to a flat style only to the center of the roof. As a result, the design of the extension is considered to be sympathetic to the existing building and roof as well as the neighbouring Grade II Listed Buildings. The dormers will incorporate traditional eaves and gutters to protect visual amenity of the host property. The proposed roof lights to the front roofscape of the building will be low profiled conservation style roof lights as stated within the design and access statement and as such are considered visually acceptable, raising no visual concern to the overall character and appearance of the host building or surrounding context.

As for the dormer extensions, they are also considered to be sympathetic to the surrounding area and host property, being small additions with pitched roof forms to match the character of the host property. The two dormers will be hung from slate roof tiles and will have timber framed windows, all of which would match the materials on the existing building.

Furthermore, the proposed dormers are not considered to dominate the existing roof, are both set below the ridgeline of the existing roof, and entirely within the roofplane.

As a result, the development is considered to comply with all the relevant policies listed above and will have no significant impact with regard to visual amenity of the host property, adjacent listed buildings, and conservation area.

3. Impact on Residential Amenity

Sections B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Due to the limited scale of the extensions and their adequate distance away from neighbouring properties, it is considered that there will be no significant impact upon the residential amenity of neighbouring occupiers as a result of impacts on overshadowing and overbearing.

The proposed side rear dormer will retain a distance of 17m to the side elevation of No. 12 Edgerton Road. Given the considerable separation distance, along with first floor side windows being present, it is not considered that the impact of overlooking to No. 12 would be significantly greater than the current situation and is therefore acceptable.

The proposed north dormer will face into the rear garden area of no. 14a Edgerton Road and side garden area of No. 16 Edgerton Road. Given the generous separation distance to these garden areas approx. 16m to 30m, it is not considered that the dormer will result in unacceptable loss of privacy that would warrant a refusal. As such, there are no concerns to overlooking impact from the proposed dormer to No. 14a & 16 Edgerton Road.

It is therefore considered that in terms of residential amenity, the proposed would comply with all relevant policies.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and 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 development will increase the number of bedrooms in the property by two, however, there is no clear indication on the submitted plans as to the total number of bedrooms within the property. Despite this, it is considered that there will be adequate space on site for at least 4 off-street parking spaces which is considered the maximum for a householder site.

Furthermore, as the extensions are of a limited scale and set well back from the adjacent highway, it is considered that there will be no significant impact upon highway safety.

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. 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 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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Representations

No representations have been 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, the proposed development would constitute sustainable development and is therefore recommended for approval.

**Recommendation
PERMISSION**

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2025/92383

Officer Recommendation: Conditional Full Permission

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 & LP35 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, 14 & 16 of the National Planning Policy Framework

3. The face and cheeks of the dormers hereby approved shall be faced in vertically hung tiles which shall in all respects match those used in the construction of the existing building. The dormers shall thereafter be retained with this finish.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02, LP24 & LP35 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 & 16 of the National Planning Policy Framework.

4. Notwithstanding the approved plans, the approved roof lights shall be of a low-profile, conservation-style design. The roof lights shall thereafter be retained in this approved finish.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02, LP24 & LP35 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 & 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	100	-	26/08/2025
Existing Elevations	103	-	26/08/2025
Existing and Proposed Attic	101	-	26/08/2025
Existing and Proposed Roof Plan	104A	-	26/09/2025
Proposed Elevations	102	-	26/08/2025
Application Forms	-	-	26/08/2025
Climate Change Statement	-	-	26/08/2025
Design and Access Statement	-	-	26/08/2025
Conservation/Heritage Assessment	-	-	26/08/2025

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 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. Updated plans were requested which showed the proposed dormer extensions to use traditional eaves with gutters. Upon requesting this information, amended plans were submitted by the applicant and considered acceptable.

Report Dated:

21/10/2025