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:	**2025/62/92431/E**
Site Address:	19, Westfields Avenue, Mirfield, WF14 9PN
Description:	Demolition of existing garage and erection of side and rear extensions, erection of dormers, removal of existing roof and erection of replacement roof and associated alterations
Recommending Officer:	Sarah Longbottom

DECISION – FULL CONDITIONAL 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: 24-Apr-2026

Officer Report – 2025/92431

Site Description

The application site is located at 19 Westfields Avenue, Mirfield, WF14 9PN. It comprises a detached hipped roof bungalow faced in brick with concrete tiled roof. A detached garage is located to the side.

The property is situated within a street scene of mixed residential character, incorporating true bungalows, dormer and chalet bungalows.

Description of Proposal

The Scheme

The application is seeking planning permission for the demolition of the existing garage and erection of side and rear extensions, erection of dormers, removal of existing roof and erection of replacement roof and associated alterations.

The proposals would be faced in brick with some elements of render, with concrete tiles for the roofing material.

Supporting Information

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

- Climate Change Statement
- Supporting Statement

History of Negotiations / Amendments Received

Through the course of the application, amended plans were requested by officers in order to address concerns relating to the impact on visual amenity, in addition to residential amenity concerns arising from the introduction of accommodation within the roofspace and addition of rear dormers.

The agent submitted amended plans to address concerns, whilst also providing a supporting statement in relation to other remaining matters. Officers have not re-advertised the amended plans/information due to the reduction in the scale of the proposals.

Relevant Planning History

None

Representations

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

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was 14 November 2025. As a result of publicity, 10 representations were received. The concerns raised can be summarised as follows:

Visual Amenity

- Proposal would increase the size of the house by twice its size, filling the full width of the site; this is not in keeping with the design/style of other properties

- Occupying the full frontage of this site, with its irregular projections within
  the roof, the extension in front of the building line and blank gable end walls is an overbearing and over development of the site

- Height and length of roofline is long and overpowering

Residential Amenity

- New roofline and dormer windows will result in overlooking to properties to the rear

- Proposal will take up majority of site; leaving little amenity space

- Size/height of proposal will result in overbearing construction which will block light and outlook from rear of properties to side and rear

Other Matters

- A tree will need to be removed which is not indicated on the plans

- The road is narrow; therefore any building work, alterations will no doubt mean large vehicles, noise and dust

- Proposals will impact on value of neighbouring properties

- The drawings are misleading

- Proposal extends up to boundary with No.17; permission would be required to enter land in ownership of No.17. Sufficient space should be allowed for access to prevent crossing the boundary

- No drainage of water onto land in ownership of No,17 will be permitted

Consultation Responses

Mirfield Town Council – No response

Allocation and Policy

The site is unallocated on the Kirklees Local Plan and is not located within a Bat Alert Layer on the Council's mapping system.

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
LP33 - Trees

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.

Chapter 2: Achieving sustainable development
Chapter 12: Achieving well-designed places
Chapter 15: Conserving and enhancing the natural environment

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

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 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

Assessment

The following matters are considered in the assessment below –

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

1 – Principle of Development

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.

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.

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.

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

In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and 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.

These issues along with other policy considerations will be addressed below.

Considering the above policy, the principle of development is acceptable.

2 – Impact on character and appearance of the area

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.

The proposals relate to the erection of a side/rear extension, roof alterations and dormers to front and rear to facilitate accommodation within the roof space. The existing detached garage would be demolished.

<u>Side/Rear Extension</u>

The proposed side and rear extension would infill the space to the south of the host dwelling, taking into account the orientation and location of the side and rear boundaries. Since submission of the original application, the bulk and mass of this element has been reduced at the request of officers. This includes a marginal set back from the front elevation of the original dwelling.

Whilst it is acknowledged that the proposed side extension would have a large footprint in relation to the original dwelling, as amended, an adequate gap would be retained to the side and rear boundaries, and the existing rear garden would remain. As such, the amended proposal would not result in a cramped form of development.

Proposed Roof Alterations and Dormers

The existing bungalow has a hipped roof. The proposed roof alterations would result in the formation of a pitched roof with pitched roof dormers to the front (4) and rear elevations (2).

Westfields Avenue is characterised by a mixture of dormer bungalows, Chalet bungalows and true bungalows with both hipped and pitched roofs. Flat roof front dormers are evident opposite the site. On this basis, the proposed roof alterations and dormers would not be out of keeping with the character of the street scene. Whilst the roof alterations would facilitate the provision of accommodation within the roof space, and add additional bulk to the side, the overall height of the dwelling would not be significantly increased.

The proposed dormers would have a vertical/pitched roof design, be set down from the ridge line and up from the gutter. These would be small in scale and would not dominate the roof planes, in accordance with paragraphs 5.26 and 5.27 of the House Extensions and Alterations SPD.

The application form states that the external walls of the extension shall be faced in brick with some render, however no specific details are provided/annotated on the submitted plans indicating the extent of any potential render. As brick is the predominant facing material found within the street, (with the exception of small feature panels) it would be reasonable to impose a condition, should permission be granted, requiring the development to be faced in materials to match the host building.

The proposed development is therefore considered to comply with Policies LP1, LP2, and LP24 of the Kirklees Local Plan, Principles 1 and 2 and Paragraph of the Council's House Extensions and Alterations SPD and Policies within Chapter 12 of the National Planning Policy Framework.

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.

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.

The host building is located on an irregularly shaped site with varying separation distances to the properties to the rear, however such distances would be in excess of 21m at an indirect angle to the rear elevations of 10 and 12 Crowlees Gardens. On the basis of this distance and relationship, Officers do not consider that the proposals would result in an adverse impact from overlooking or loss of amenity to the adjoining occupants.

The side elevation of the extension contains no window openings, although due to the alterations to the roof would result in the formation of a gable and therefore some additional bulk over and above the existing situation. No.21 is slightly elevated in relation to the application property and contains two window openings and a door within the facing side elevation. The window openings are either secondary or non-habitable, and as such, the proposal would not result in an adverse overshadowing nor an overbearing impact in relation to the development and there would be no loss of privacy dye to the positioning of the openings.

In relation to the impact upon No.17, which contains a door and first floor window within the facing side elevation, as only part of the proposed side extension will have a relationship with this elevation due to the orientation and location of the shared boundary, it is considered the window would not be impacted upon. There would be no loss of amenity due to the scale and positioning of the development and relationship of openings.

In respect of the amenity of the occupiers of the application site, whilst the proposals would extend to the side, the rear garden would remain and therefore adequate amenity space would be retained.

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, and Paragraph 135, of the National Planning Policy Framework.

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.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

It should be noted that although nothing specific is detailed on the submitted plans, the site will retain adequate space for waste storage.

The proposed extension will create two additional bedrooms, resulting in a three bedroom dwelling. The proposed integral garage would fall short of the standard dimensions for a garage due to its design, however the proposed site plan indicates that there would be sufficient space to accommodate two off-street parking spaces to the front of the dwelling which is considered adequate.

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. Other Matters

Trees

From the officer's site visit it appears that a tree located between the dwelling and existing garage may need to be removed to facilitate the development. This does not appear worthy of protection, and could be removed at any time without intervention.

7. Representations

The concerns raised in representations are addressed below:

Impact on visual amenity – bulk, mass and design of proposals and impact on character of street scene
Officer Response: The impact of the proposals on visual amenity is addressed above. Following receipt of amended plans and a reduction in the bulk and mass of the proposals, officers consider the proposals to be acceptable from a visual amenity perspective.

Impact on residential amenity – overlooking, overshadowing and overbearing impact; extent of amenity space to serve application property
Officer Response: The impact of the proposals on residential amenity has been addressed above.

Other Matters:

- A tree will need to be removed which is not indicated on the plans
  Officer Response: This is addressed above.

- The road is narrow; therefore any building work, alterations will no doubt mean large vehicles, noise and dust
  Officer Response: This is noted, however is a transient aspect of the development process. A footnote will be imposed regarding hours of construction.

- Proposals will impact on value of neighbouring properties
  Officer Response: This is not a material planning consideration.

- The drawings are misleading
  Officer Response: Amended plans were submitted through the course of the application. Officers consider these to accurately depict the proposals.

- Proposal extends up to boundary with No.17; permission would be required to enter land in ownership of No.17. Sufficient space should be allowed for access to prevent crossing the boundary
  Officer Response: The amended plans show a gap to the boundary with the adjacent no.17, however in any case, planning permission does not override ownership rights and therefore permission would still be required to enter onto land outside the applicant's ownership.

- No drainage of water onto land in ownership of No,17 will be permitted
  Officer Response: Noted

8. 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 **CONDITIONAL FULL PERMISSION**

Decision Authorisation: Delegated Powers

Application Number: 2026/92431

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).

1. 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.

2. The materials used in the construction of the extensions 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 and the aims of the National Planning Policy Framework.

3. The approved vehicle parking area shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained throughout the lifetime of the development.
   Reason: In the interests of highway safety and to achieve a satisfactory layout to accord with Policies LP21 and LP22 of the Kirklees Local Plan, the Council's adopted House Extensions and

Alterations SPD, the Council's adopted Highways Design Guide and the policies within Chapter 9 of the National Planning Policy Framework.

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**	**Version**	**Date Received**
Application Form	-	-	28-Aug-2025
Site Location Plan		-	28-Aug-2025
Existing Plans, Elevations and Location Plan	2554-0101-P01	-	28-Aug-2025
Proposed Plans, Elevations and Block Plans	2554-0301-P04	-	06-March-2026
Supporting Statement	2554 2 March 2026	-	06-March-2026
Supporting Information	Climate Change Statement	-	28-Aug-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 preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. Amendments were received to address Officers' concerns regarding the impact of the proposals on visual and residential amenity.

Report | 23/04/2026 | **Dated:**