

**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:	2025/62/92457/E
Site Address:	50, Parker Road, Thornhill Lees, Dewsbury, WF12 0AP
Description:	Erection of outbuilding
Recommending Officer:	Jennifer Booth

DECISION - REFUSE

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 31-Oct-2025

OFFICER REPORT

Site Description

50 Parker Road, Thornhill Lees, Dewsbury is a two storey mid terraced property constructed of brick for the external walls, tiles for the roof and upvc for the openings. The property has recently constructed a single storey front extension and a single & two storey rear extension. The dwelling has replaced the grassed area to the front with paving and has a very small yard area remaining to the rear.

Surrounding the area is predominantly residential and many of the dwellings surrounding the site have extensions, including those to the front.

Description of Proposal

The applicant is seeking permission for an outbuilding in the rear yard.

The building has a width of 2.4m and a depth of 3.7m with a sloping roof. The lower eaves level is 2.6m rising to 3.3m.

The walls have been constructed using block work and faced in render.

Relevant Planning History

2017/91096 – larger home notification – agreed

2017/91113 – erection of front extension – approved

2017/92991 – erection of single storey front extension and single & two storey rear extension – approved and built

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. The works have already been carried out. No amendments could overcome the significant harm to visual and residential amenity and as such, amended plans have not been sought.

Representations

The application was advertised by site notice, which expired on 06/10/2025.

As a result of the above publicity, one representation has been received. The matters raised are not material planning considerations as they include concerns about gas pipes and wiring.

Consultation Responses

None

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** - Design
- **LP 30** – Biodiversity

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, and the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

Principle of development:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions & Alterations SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety.

Impact on visual amenity:

Key Design Principle 1 of the House Extensions & Alterations SPD does state that extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Furthermore, Key Design Principle 2 of the House Extensions & Alterations SPD goes onto 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.

Paragraph 5.29 and 5.30 of the House Extensions & Alterations SPD considers an outbuilding can have as much of an impact on the appearance of a building as any extension. These should be designed to reflect the style, shape and features of the host property and be subservient in terms of the scale of the original dwelling.

The outbuilding to the rear of the property raises concerns regarding visual amenity and overdevelopment. The site has already been extended with both single and two-storey rear additions, and the addition of a further outbuilding results in a disproportionate and excessive form of development. The

materials used, particularly the rendered finish, are out of keeping with the brick-built dwelling and surrounding properties, leading to a lack of visual harmony. Although outbuildings exist in the area, none exhibit such a linear and visually dominant relationship with an already extended main house. The proposal is therefore considered unacceptable due to the cumulative impact of extensions and additions, disproportionate scale, and poor integration with the existing built form.

Having taken the above into account, the outbuilding causes significant harm to the visual amenity of both the host dwelling and the wider street scene. As such, the development fails to comply with Policy LP24 of the Kirklees Local Plan (a) in terms of form, scale and layout, and (c) as it does not constitute a subservient addition. It also conflicts with KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of Chapter 12 of the National Planning Policy Framework.

Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The House Extensions & Alterations SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light and Key Design Principle 6 on preventing overbearing impact.

Impact on 48 Parker Road

The outbuilding is set back from the boundary with the adjoining neighbour to the west and has a lower level wall. As such, there would be limited potential for overshadowing or overbearing. The window in the side elevation overlooks the applicant's own amenity space offering no additional opportunity for overlooking than the garden itself has.

With regards to the impact on the adjoining 48 Parker 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.

Impact on 52 Parker Road

The outbuilding has been built along the shared boundary with a wall height in excess of 3m. This has a significant overbearing impact on the neighbour's amenity space. Furthermore, the position of the outbuilding to the west of the neighbour results in overshadowing in the afternoon along the entirety of the neighbour's garden. Although there are no openings which could result in any

loss of privacy, the harm in terms of the overbearing and overshadowing impacts are significant.

With regards to the impact on the adjoining 52 Parker 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 unacceptable.

Impact on 11 Lees Avenue

The neighbouring property to the rear occupies an angled position relative to the host property which limits the potential for the outbuilding to result in any overshadowing, overbearing or overlooking.

With regards to the impact on the neighbouring 11 Lees Avenue, 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.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions & Alterations SPD and Chapter 12 of the National Planning Policy Framework.

Impact on highway safety:

The proposals will not result in any significant intensification of the domestic use and the property does have a drive to the front which 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:

Biodiversity

The development is for a single storey outbuilding at the rear of the dwelling. Whilst the property is sited in area, which is known to include bat habitats, in this instance, as the proposal is single storey and include no work to the main roof, then it is considered unlikely to have an impact on the bat population.

Carbon Budget

The proposal is a small scale domestic development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters for consideration.

Representations:

One representation has been received in response to site publicity. The matters raised are not material planning considerations as it includes concerns about gas pipes and wiring.

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application for an outbuilding to the rear of 50 Parker 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.

The outbuilding, when considered alongside existing single and two-storey rear extensions, results in a cramped form of development. Its disproportionate scale, poor integration with the host dwelling, and use of materials which are out of keeping with the materials of construction of the host dwelling and surrounding properties causes harm to visual amenity. Furthermore, the linear and visually dominant relationship with the extended dwelling is out of character with the area. The proposal is therefore contrary to Policy LP24 of the Kirklees Local Plan, KDP 1 & 2 of the House Extensions & Alterations SPD, and Chapter 12 of the National Planning Policy Framework.

The outbuilding, due to its scale, siting, and proximity to the boundary with 52 Parker Road, results in an unacceptable level of overshadowing and an overbearing impact on the amenity space of that adjoining property, particularly during afternoon hours. This significantly diminishes the usability and enjoyment of the neighbouring garden. The development therefore fails to safeguard residential amenity, contrary to Policy LP24(c) of the Kirklees Local Plan, KDP5 and KDP6 of the House Extensions & Alterations SPD, and the aims of Chapter 12 of the National Planning Policy Framework.

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. For the reasons set out above it is considered that the development would not constitute sustainable development and is therefore recommended for refusal.

Recommendation

Refuse

Decision Authorisation - Delegated Powers

Application Number: 2025/92457

Officer Recommendation: Refuse

Reasons for refusal

1. The outbuilding, when considered alongside existing single and two-storey rear extensions, results in a cramped form of development. Its disproportionate scale, poor integration with the host dwelling, and use of materials which are out of keeping with the materials of construction of the host dwelling and surrounding properties causes harm to visual amenity. Furthermore, the linear and visually dominant relationship with the extended dwelling is out of character with the area. The proposal is therefore contrary to Policy LP24 of the Kirklees Local Plan, KDP 1 & 2 of the House Extensions & Alterations SPD, and Chapter 12 of the National Planning Policy Framework.
2. The outbuilding, due to its scale, siting, and proximity to the boundary with 52 Parker Road, results in an unacceptable level of overshadowing and an overbearing impact on the amenity space of that adjoining property, particularly during afternoon hours. This significantly diminishes the usability and enjoyment of the neighbouring garden. The development therefore fails to safeguard residential amenity, contrary to Policy LP24(c) of the Kirklees Local Plan, KDP5 and KDP6 of the House Extensions & Alterations SPD, and the aims of Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location plan	-	1103761	05/09/2025
Proposed site plan	SK01	1104093	05/09/2025
Proposed plans	S01b	1103758	05/09/2025
Climate change statement	-	1104092	05/09/2025

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.

The works have already been carried out. No amendments could overcome the significant harm to visual and residential amenity and as such, amended plans have not been sought.

Report Dated

23/10/2025