

**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:	2025/62/92610/E
Site Address:	77, High Street, Thornhill Edge, Dewsbury, WF12 0PS
Description:	Erection of extension with replacement roof and associated works
Recommending Officer:	Jennifer Booth

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 25-Nov-2025

OFFICER REPORT

Site Description

77 High Street is a detached dwelling with the frontage facing to the side. The property is rendered and appears to have previously been two properties. There is a small porch on the front elevation and an overgrown garden to the rear and an existing single storey rear extension.

The surrounding area is residential with a mix of house type.

Description of Proposal

The application is seeking planning permission to replace the porch, raise the roof to form additional accommodation and extension first floor to the rear.

The eaves height would be retained however the overall height would increase to 8.6m

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

Relevant Planning History

None

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. No negotiations/discussions undertaken during the course of the application.

Representations

The application was advertised by site notice, which expired on 27/10/2025

As a result of the above publicity, two representations have been received. One in support and the other raising objections. The material planning matters raised are summarised as follows:

- Minimum distances are not achieved between the host property and the neighbouring dwellings.
- Potential noise and dust.
- The use of a private drainage system.

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 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 comprises several identifiable elements, including the replacement of the existing porch, raising the roof to create accommodation within the roof space, and the erection of a two-storey rear extension. These components have been assessed collectively to assess their cumulative impact on the character and appearance of the dwelling and the wider street scene. It is acknowledged that the scheme would result in a noticeable change to the property's form and scale; however, such alterations must be considered in the context of the site and its surroundings.

The host dwelling is an older property currently in a poor state of repair, situated within an area characterised by a diverse mix of house types, sizes, and architectural styles. In this context, the modernisation of the property, while altering its original character, would not appear incongruous or harmful to the visual amenity of the locality. The proposed design introduces a more contemporary appearance, which aligns with the principles of good design set out in Chapter 12 of the NPPF, encouraging development that is visually attractive and sympathetic to local character while allowing for innovation.

It is recognised that the proposed extensions and alterations would enlarge the property beyond its original footprint, resulting in a dwelling that is larger than typical examples in the immediate vicinity. However, when assessed against Policy LP24 of the Kirklees Local Plan and KDP1 and KDP2 of the Kirklees Design Principles, the scale and massing are considered acceptable in this instance. The property would remain broadly comparable in size to other dwellings within the area, and the enhancements to its appearance, combined with the mixed character of surrounding development, provide sufficient justification for the proposal.

Overall, the scheme is considered to comply with the design objectives of LP24, KDP1, and KDP2, as well as the guidance within Chapter 12 of the NPPF, which seeks to secure high-quality design that adds to the overall quality of the area. While the development would alter the character of the existing dwelling, the improvements to its visual quality and the compatibility with the varied streetscape ensure that the proposal would not result in harm to visual amenity. Accordingly, the design is deemed acceptable.

Having taken the above into account, the proposals would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building, KDP 1 & 2 of the House Extensions & Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

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 north side which could be affected by the works proposed.

Impact on 75 High Street

The nearest neighbouring property is a three-storey dwelling located approximately 14m to the east of the application site. This property contains a number of habitable room windows on all floors that face towards the host dwelling. It is acknowledged that the proposed development would increase the height of the host property; however, the separation distance between the two dwellings would remain unchanged. Furthermore, the host property

currently sits at a lower level than No. 75, which would help to mitigate the perceived impact of the increased height.

While the existing relationship between the two properties does not fully meet current separation standards, this arrangement is already established and would not be materially worsened by the proposed development. The additional massing and roof alterations are unlikely to result in significant overshadowing or an unacceptable loss of outlook given the existing distance and relative positioning.

With regards to the impact on the neighbouring 75 High Street, 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 75a High Street

No. 75a High Street is located approximately 13 metres to the south of the application site and sits at a lower land level. At present, the two properties do not directly align; however, the proposed extension would result in partial alignment, with the side elevation of the host property facing the front elevation of No. 75a. Given the existing difference in land levels and the established spatial relationship, the increase in height and the addition of the rear extension are not considered to significantly increase the impact in terms of overshadowing or overbearing.

The main openings within the proposed side elevation would not directly align with the neighbouring property. While there are secondary openings, these would not create any significant opportunity for overlooking, as the front elevation of No. 75a contains limited openings serving non-habitable spaces, which are further screened by the overhang of the neighbouring property. Additionally, the area to the front of No. 75a functions as a driveway rather than a private garden, and views of this space are already possible from the existing driveway and garden areas of the host property. On this basis, the proposal is considered acceptable in terms of residential amenity.

With regards to the impact on the neighbouring 75a High Street, 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 81 High Street

The neighbouring property at No. 81 High Street is positioned approximately 18 metres from the host dwelling and presents a blank side elevation facing towards the rear of the application site. While the proposed development

would increase the height of the host property and marginally reduce the space between the two dwellings, the absence of habitable room windows on the facing elevation ensures that there would be no significant impact in terms of overlooking or loss of privacy. Furthermore, given the existing separation distance and the orientation of the properties, the proposal is not considered to result in unacceptable overshadowing or an overbearing relationship.

With regards to the impact on the neighbouring 81 High Street, 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 result in some intensification of the domestic use. However, the parking area to the rear of the property is shown on plan to provide parking for three vehicles 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

After a visual assessment of the building by the officer, it appears that whilst the building is tired looking in terms of the render, the roof is still well-sealed and unlikely to have any significant bat roost potential. Even so, a cautionary note should be added that if bats are found during the development, then work must cease immediately, and the advice of a licensed bat worker sought.

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:

Two representations have been received. One in support and the other raising objections. The material planning matters raised are summarised as follows:

- Minimum distances are not achieved between the host property and the neighbouring dwellings
Officer Response: *The concern regarding minimum separation distances is noted. However, it is important to highlight that the current layout and relationship between the properties already falls below the recommended standards, and this arrangement is long established. The proposed development does not materially worsen this situation, as the separation distances remain broadly similar and the existing relationship is retained. Furthermore, the potential impacts on neighbouring properties, including No. 75 and No. 81 High Street, have been fully assessed within the Residential Amenity section of the report and are considered acceptable.*
- Potential noise and dust.
Officer Response: *Although this is a material consideration relating to residential amenity, there is an expectation that there will be such effects as part of the activities associated with construction and such effects would be transient. This would not therefore form a reason for refusal. However, a note is recommended to be added to any subsequent approval reminding the applicant of the appropriate hours of work in line with Environmental Legislation.*
- The use of a private drainage system.
Officer Response: *The host property is an existing domestic dwelling, and the proposed works relate to extensions and alterations rather than the creation of a new dwelling. As such, detailed drainage information was not required as part of this application. Any private drainage arrangements remain the responsibility of the applicant and would need to comply with relevant Building Regulations and other statutory requirements outside the planning process.*

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 including the use of an off white render 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 for a replacement porch, raising of the roof and rear extension at 77 High Street 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: 2025/92610

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 Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims 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 with the render being an off white finish.

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 the aims of chapter 12 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

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	Lp	1106074	30/09/2025
Site Plan	25-210-PL-01	1106073	30/09/2025
Existing Elevations and Floor Plans	25-210-PL-02	1106072	30/09/2025
Proposed elevations	25-210-PL-04	1106076	30/09/2025
Proposed Floor Plans and Cross Sections	25-210-PL-03	1106077	30/09/2025
Proposed elevations	25-210-PL-04	1106076	30/09/2025
Climate change statement	-	1107189	30/09/2025

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.

As the submitted plans were considered to be acceptable, no changes were sought.

Report Dated 19/11/2025

