

**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>2025/62/92638/E</b>
Site Address:	6, Ashbourne View, Cleckheaton, BD19 5JE
Description:	Erection of side and rear extensions with hardstanding to front elevation
Recommending Officer:	Jennifer Booth

**DECISION - Refused**

**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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date: 26-Nov-2025**

## **OFFICER REPORT**

### **Site Description**

6 Ashbourne View is a detached two storey dwelling with gardens to the front, a drive & car port to the side and gardens to the rear.

The surrounding area is residential with a mix of house type although the surrounding properties are similar in terms of age.

### **Description of Proposal**

The application is seeking planning permission for extensions to the side and rear with a hardstanding to the front.

The side extension would project 2.6m from the original side wall of the property and would be set back 0.5m on the ground floor and 6.5m on the first floor from the front of the dwelling. The roof form would be lean to on the ground floor with a hipped roof on the first floor.

The rear extension is proposed to project 3m from the original rear wall of the dwelling with a lower ground floor, ground floor and first floor and would extend across the full width of the dwelling including to the rear of the side extension. The roof form would be a combination of pitched and hipped.

The walls would be constructed using brick 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. The plans raise concerns in terms of the irregular appearance from the front and the overbearing and oppressive impact of the side/rear extension on the adjacent 4 Ashbourne View. Amended plans have not been sought due to the significant issues with the application.

### **Representations**

The application was advertised by site notice, which expired on 10/11/2025

As a result of the above publicity, two representations have been received, one in support and one objecting. The materials planning matters raised are summarised as follows:

- Overshadowing and loss of light,
- Disruption, noise and dust during construction,
- Loss of privacy.

## **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

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
- **LP 30** – Biodiversity

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
- 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.

As this proposal is for a side and rear extension, the following paragraphs of the House Extensions & Alterations SPD are of relevance. Paragraphs 5.15 & 5.17 of the House Extensions & Alterations SPD with regards to the side extension as they require the development proposed to be located and designed to minimise the impact on the character of the area, reflect the original building in terms of materials and detailing and ensure adequate space is retained to provide a sense of space. Paragraphs 5.1, 5.2 & 5.6 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 side and rear extension would result in a form that appears irregular when viewed from the front and side, particularly in combination with the existing car port and side dormer, creating an incongruous relationship with the established street scene. While the rear element is larger in width than the comparable extension at the adjacent property (No. 8), the proposed materials would match those of the host dwelling. However, despite this, the overall design and scale are considered to be visually harmful and therefore unacceptable.

Having taken the above into account, the proposals would result in harm to the visual amenity of both the host dwelling and the wider street scene. The irregular form, combined with the existing car port and side dormer, would appear at odds with the established character of the area. The scale and layout fail to comply with Policy LP24 of the Kirklees Local Plan, particularly part (a) in respect of form, scale and layout, and part (c) as the extension would not form a subservient addition in keeping with the existing building. Furthermore, the proposals conflict with KDP 1 & 2 of the House Extensions & Alterations SPD and do not accord with the aims of Chapter 12 of the National Planning Policy Framework, which seeks to achieve well-designed places.

#### 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 4 Ashbourne View*

The neighbouring property at No. 4 lies to the east of the application site. While any overshadowing would be limited to the late afternoon, the proposed extension, particularly the side element, would be positioned close to the shared boundary. This proximity, combined with the overall scale and bulk of the extension, would create an overbearing and oppressive impact on the neighbouring windows, adversely affecting outlook. Additionally, the works would introduce windows closer to the boundary with No. 4; however, these openings would primarily provide angled views towards the lower part of the neighbour's garden, reducing direct overlooking. Despite this, the overall relationship is considered harmful to the residential amenity of No. 4.

With regards to the impact on the adjacent 4 Ashbourne View, 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 8 Ashbourne View*

The adjacent property to the west has their own rear extensions which would mitigate the potential for any overbearing or overshadowing. The windows in the rear would look into the applicants own amenity space with only angled views of the neighbours garden area.

With regards to the impact on the adjacent 4 Ashbourne View, 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 31 & 33 Ashbourne Way*

The neighbouring properties to the rear are over 30m from the site. Given the substantial separation distances, the proposed works would result in no significant overbearing, overshadowing or overlooking.

With regards to the impact on the 32 & 33 Ashbourne Way, 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 considered to result in an overbearing and oppressive impact upon the residential amenity of the adjacent 4 Ashbourne View, thereby failing to comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 5 & 6 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 front and side of the property would not be affected by the proposed extension 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:

## *Biodiversity*

After a visual assessment of the building by the officer, it appears that the building is in good order, 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 one objecting. The materials planning matters raised are summarised as follows:

- Overshadowing and loss of light  
**Officer Response:** *This is a material consideration as it relates to residential amenity. The extension would be located to the west of the adjacent no. 4 with limited potential for overshadowing to the late afternoon/evening. The adjacent no. 8 has their own rear extension which would counter the effects. As such, there are no concerns in terms of overshadowing.*
- Disruption, noise and dust during construction  
**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. A note would be added to any subsequent approval reminding the applicant of the appropriate hours of work in line with Environmental Legislation.,*
- Loss of privacy  
**Officer Response:** *The works would result in windows closer to the boundary with the adjacent no. 4. However, these would have angled views towards the bottom of the neighbours garden area.*

## Proposed conditions

None as the recommendation is for refusal.

## Conclusion:

This application to extend and alter 6 Ashbourne View 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 proposed side extension, when viewed from the front and side, would appear irregular in form due to its relationship with the existing car port and side dormer, resulting in a discordant and incongruous appearance that is at odds with the established character of the street scene. The scale and layout of the development fail to respect the form and design of the host dwelling and surrounding properties, contrary to Policy LP24(a) and (c) of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions & Alterations SPD, and Chapter 12 of the National Planning Policy Framework, which seek to ensure development is visually attractive and sympathetic to local character.

The proposed extension, by virtue of its scale, siting and proximity to the shared boundary with No. 4, would result in an overbearing and oppressive impact on the neighbouring property, significantly harming the outlook from its windows. This would fail to safeguard the residential amenity of the adjacent occupiers, contrary to Policy LP24(b) of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD, and paragraph 130 of the National Planning Policy Framework, which seek to ensure development provides a high standard of amenity for existing and future users.

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:** 2025/92638

**Officer Recommendation:** Refuse

### Reasons for refusal

1. The proposed side extension, when viewed from the front and side, would appear irregular in form due to its relationship with the existing car port and side dormer, resulting in a discordant and incongruous appearance that is at odds with the established character of the street scene. The scale and layout of the development fail to respect the form and design of the host dwelling and surrounding properties, contrary to Policy LP24(a) and (c) of the Kirklees Local Plan, Key Design Principles 1 and 2 of the House Extensions & Alterations SPD, and Chapter 12 of the National Planning Policy Framework, which seek to ensure development is visually attractive and sympathetic to local character.
1. The proposed extension, by virtue of its scale, siting and proximity to the shared boundary with No. 4, would result in an overbearing and oppressive impact on the neighbouring property, significantly harming the outlook from its windows. This would fail to safeguard the residential amenity of the adjacent occupiers, contrary to Policy LP24(b) of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD, and paragraph 130 of the National Planning Policy Framework, which seek to ensure development provides a high standard of amenity for existing and future users.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location plan	-	1107320	01/10/2025
Block plan	-	1107323	01/10/2025
Existing plans	-	1107321	01/10/2025
Proposed plans	-	1107322	01/10/2025
Climate change statement	-	1107540	01/10/2025

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 plans raise concerns in terms of the irregular appearance from the front and the overbearing and oppressive impact of the side/rear extension on the adjacent 4 Ashbourne View. Amended plans have not been sought.

**Report Dated** 20/11/2025