

**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:	2025/62/92804/E
Site Address:	223, Wakefield Road, Earlsheaton, Dewsbury, WF12 8ER
Description:	Erection of first floor side extension
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.

Emma Thompson

AUTHORISED OFFICER

Date: 08-Dec-2025

OFFICER REPORT

Site Description

223 Wakefield Road, Earlsheaton, Dewsbury, is a stone built detached two storey dwelling. The front elevation of the property occupies a position which is perpendicular to the road and the dwelling has gardens to the front and sides. The rear elevation of the dwelling forms the boundary with the adjacent 225 Wakefield Road.

The red line also includes a portion of land which currently has a footpath and a grassed area. The surrounding properties are residential although there is some diversity in terms of age and style.

Description of Proposal

The applicant is seeking permission to erect a first floor side extension.

The extension would be built over the existing ground floor extension with a width of 4.6m and the full depth of the dwelling with a pitched roof form.

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

Relevant Planning History

2018/90294 – erection of single storey front and side extensions - approved

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 visual amenity, given the incongruous appearance the extension would have and the overbearing and oppressive impact it would have on the rear windows and amenity space of the adjacent property. Amended plans have not been sought.

Representations

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

As a result of the above publicity, no representations have been received.

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

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

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.

Paragraphs 5.15, 5.19 & 5.21 of the House Extensions & Alterations SPD are of relevance 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.

The proposed first-floor side extension does not incorporate a set back or set down from the original dwelling. As a result, the width of the extension would fail to appear subservient to the main house and would create an incongruous addition to the property. Although the use of matching materials has been proposed, this does not mitigate the overall impact on the character of the dwelling. Consequently, the side extension is considered unacceptable in terms of visual amenity.

Having taken the above into account, the proposed first-floor side extension would not be subservient to the host dwelling and, due to its width and lack of set back or set down, would result in the formation of an incongruous feature that fails to respect the character of the existing property. This design

approach would cause harm to the visual amenity of both the host dwelling and the wider street scene. The proposal is therefore contrary to Policy LP24 of the Kirklees Local Plan, particularly parts (a) and (c) relating to form, scale, and layout, as well as the guidance contained within Key Design Principles 1 and 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 rear which could be affected by the works proposed.

Impact on 221 Wakefield Road

The neighbour to the west occupies a position some 21m from the side. Given the separation, the proposed first floor side extension would result in no overshadowing or overbearing. The extension would face towards the blank side elevation of the neighbouring property and as such there would be no loss of privacy.

With regards to the impact on the neighbouring 221 Wakefield 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 225 Wakefield Road

The extension would run along the boundary with the adjacent dwelling to the east which has their rear elevation and garden area parallel to the site of the proposed extension. Given the height and projection, there would be significant overshadowing and overbearing impact. It is noted that there are no windows which could result in any loss of privacy.

With regards to the impact on the adjacent 225 Wakefield 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.

Having considered the above factors, the proposals are considered to result in significant overbearing and overshadowing of the adjacent property thereby failing to comply 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 which is a shared area to the rear 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:

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:

None

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application to erect a first floor side extension to 223 Wakefield 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 proposed first-floor side extension would not be subservient to the host dwelling and, due to its width and lack of set back or set down, would result in the formation of an incongruous feature that fails to respect the character of the existing property. This design approach would cause harm to the visual amenity of both the host dwelling and the wider street scene. The proposal is

therefore contrary to Policy LP24 of the Kirklees Local Plan, particularly parts (a) and (c) relating to form, scale, and layout, as well as the guidance contained within Key Design Principles 1 and 2 of the House Extensions & Alterations SPD and the aims of Chapter 12 of the National Planning Policy Framework.

The proposed extension, by virtue of its scale, position, and proximity to the shared boundary, would result in an overbearing impact on the adjacent dwelling, reducing the sense of openness between properties and adversely affecting the outlook from neighbouring habitable room windows at the adjacent 225 Wakefield Road. This would lead to an unacceptable level of harm to the residential amenity of the adjoining occupiers, contrary to Policy LP24 of the Kirklees Local Plan, part (b), which seeks to protect the amenity of neighbouring properties, and the guidance contained within the House Extensions & Alterations SPD for KDP5 & KDP6.

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: 2025/92804

Officer Recommendation: Approve

Conditions and Reasons

1. Due to the width and lack of set back or set down of the proposed extension it would not appear subservient to the host and would result in the formation of an incongruous development that fails to respect the character of the existing property. The development would result in harm to the visual amenity of both the host dwelling and the wider street scene. The proposal is therefore contrary to Policy LP24 of the Kirklees Local Plan, particularly parts (a) and (c) relating to form, scale, and layout, as well as the guidance contained within Key Design Principles 1 and 2 of the House Extensions & Alterations SPD and the aims of Chapter 12 of the National Planning Policy Framework.
2. The proposed extension, by virtue of its scale, position, and proximity to the shared boundary, would result in an overbearing and overshadowing impact on the adjacent dwelling and amenity space, reducing the sense of openness between properties and adversely affecting the outlook from neighbouring habitable room windows at the adjacent 225 Wakefield Road. This would lead to an unacceptable level of harm to the residential amenity of the adjoining occupiers, contrary to Policy LP24 of the Kirklees Local Plan, part (b), which seeks to protect the amenity of neighbouring properties, and the guidance contained within the House Extensions & Alterations SPD for KDP5 & KDP6.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Proposed plans	PL-01	1109397	13/10/2025
Climate change statement	-	1109398	13/10/2025

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 visual amenity, given the incongruous appearance the extension would have and the overbearing and oppressive impact it would have on the rear windows and amenity space of the adjacent property. Amended plans have not been sought.

05/12/2025

Report Dated