

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:	2025/62/93065/E
Site Address:	34, Low Road, Dewsbury Moor, Dewsbury, WF13 3PP
Description:	Erection of extension and alterations to outbuilding to create dwelling forming annex accommodation associated with 34, Low Road, Dewsbury Moor, Dewsbury, WF13 3PP
Recommending Officer:	Jennifer Booth

DECISION – Conditional Full 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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 25 February 2026

OFFICER REPORT

Site Description

34 Low Road is a brick built, mid terraced property with a garden to the front and a large building has been erected in what was the rear yard. The house is elevated from the level of the road at the front, whilst there is an access lane at the rear.

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

Description of Proposal

The applicant is seeking permission to extend an existing outbuilding and create an annex.

The overall width of the outbuilding would be increase to 5.1m with a depth of 5.9m and a height of 2.4m with a flat roof. The submitted plans indicate that the development would comprise a bedroom, bathroom and kitchen/sitting area.

The proposal is retrospective. The original outbuilding has been constructed using brick, whilst the extension has been constructed using blockwork and render.

History of Negotiations/Amendments

None undertaken

Relevant Planning History

2021/91007 – certificate of lawfulness for outbuilding - agreed

Representations

The application was advertised by site notice, which expired on 09/02/2026.

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
- **LP 53** - Contaminated Land

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.

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.

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 states 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 seeks to extend an existing outbuilding, which was previously approved under a Certificate of Lawful Development in 2021, and to change its use to form a residential annex. The extension would increase the footprint of the building; however, the overall height would match that of the existing structure. Whilst the enlargement would result in some change to the appearance, this is limited in scale and remains proportionate to the host building. The use of render to the new section is not considered to materially or wholly alter the character or appearance of the outbuilding, and the development would read as a cohesive addition. It is acknowledged that the rear of the dwelling has been significantly developed over time, largely through the use of permitted development rights; however, the area proposed to be extended is modest in scale, well contained, and occupies a part of the site that holds limited visual value and provides little in the way of usable amenity space. Overall, the proposal would not result in any unacceptable visual impact on the character of the site or the surrounding area, nor would it give rise to overdevelopment, with the form, scale, and materials considered appropriate and the visual amenity of the locality preserved.

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.

With regard to residential amenity of neighbouring properties, given the siting of the outbuilding and the limited extent of the proposed extension, the only neighbouring property that could potentially be affected is No. 32. This adjoining property has its door positioned closest to the shared boundary, along with a small porch structure. The works proposed represent only a modest increase in footprint over the existing outbuilding and would not exceed its established height. As a result, the development would not appear overbearing when viewed from the neighbouring property, nor would it give rise to any significant loss of light or overshadowing. Furthermore, due to the absence of any additional openings facing the boundary, there would be no overlooking or loss of privacy. Accordingly, the proposal is considered acceptable in terms of residential amenity.

Amenity of the occupant of the annex

The proposed annex has been assessed against the Nationally Described Space Standards (NDSS). In order to meet the standards the accommodation for a one-bedroom, one person, single-storey unit with shower room should provide 37sqm. Measuring the outbuilding externally it would fall short of this standard at 27sqm, however the minimum floor to ceiling height is 2.5m. As the accommodation is ancillary, weight is afforded to this due to the flexible living provided in association with the main dwellinghouse with access to outdoor space. As such, on balance, the development is considered satisfactory. The bedroom provides 11.2sqm of space and reinforces the assessment that the accommodation is only suitable for single occupancy in compliance with the NDSS. These dimensions ensure an acceptable standard of internal amenity for future occupants, with adequate space for day-to-day

living and circulation. There is also access to the shared amenity space with the main dwelling.

Impact on the host property

In terms of the impact on the amenity of the occupants of the host dwelling, it is noted that the outbuilding is positioned in close proximity to the rear-facing windows of the main house and that there is a limited amount of private amenity space to the rear. However, the majority of the outbuilding is existing, and the relationship between the dwelling and the structure is long established. The proposed works would result in only a modest increase in the overall footprint and would not materially alter the height or positioning of the building. On balance, given the limited scale of the extension and the existing site arrangements, the proposal would not significantly increase any sense of enclosure, loss of light, or other amenity impacts for the occupants of the main dwelling. Accordingly, the development is considered acceptable in terms of the residential amenity of the host property.

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, and it is noted that there is no formal off street parking at present. However, the increase in accommodation over and above the existing would equate to a single additional bedroom. As such, whilst not ideal, the scheme is not considered to be significantly harmful in terms of highway safety. The proposals broadly comply with Policy LP22 of the Kirklees Local Plan along with Key Design Principle 15 of the House Extensions & Alterations SPD.

Other matters:

Contaminated Land

The property is close to a potential source of contaminated land. However, given the limited scale of the domestic development, it is considered to be sufficient to include a condition regarding the reporting of unexpected contamination to comply with LP53 of the KLP.

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

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.

It is considered to be appropriate to tie the annex to the dwelling.

Conclusion:

This application to extend and alteration the existing outbuilding at the rear of the host property to create dwelling forming annex accommodation associated with 34, Low Road, Dewsbury Moor, Dewsbury, WF13 3PP 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 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: 2025/93065

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 residential annex accommodation hereby approved shall be used solely for purposes ancillary or incidental to the enjoyment of the existing dwellinghouse known as 34, Low Road, Dewsbury Moor, Dewsbury, WF13 3PP and shall at no time be sold, rented, or severed to be occupied as a separate independent dwelling unit.

Reason: To protect residential amenity and highway safety in accordance with Policies LP21, LP22 and LP24 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

4. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required.

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: So as to protect the development from any potential contaminated land and to comply with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared in accordance with *Model Procedures for the Management of Land Contamination – Contaminated Land report 11* (CLR11), National Planning Policy Framework (NPPF) and the Council's Advice for Development documents or any subsequent revisions of those documents.

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
Existing & proposed site plans	1	1113771	16/12/2025
Existing & proposed plans	2	1113770	16/12/2025
CMRA	-	1117995	16/12/2025

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

10/02/2026