

**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:	2025/62/93351/E
Site Address:	41, Batley Field Hill, Upper Batley, Batley, WF17 0BE
Description:	Erection of extensions and alterations to existing dwelling with detached outbuilding to rear
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: 09-Feb-2026

OFFICER REPORT

Site Description

41 Batley Field Hill, also known as the White House, is a well preserved - for its age and attractive example of an art deco property. Built in 1935 by architect, A L Abbot, the property is listed on the UK Modern House Index. The property has two vehicle openings to the front with an ingress and an exit with a curved drive surrounded by landscaping and a large, enclosed garden to the rear.

The front of the dwelling has a single and two storey appearance with a two storey curved feature entrance, with a proud flat roofed section, a cat slide element with an oriel window on the north west side, two garage on the south side. The rear elevation has an almost villa feel to the architecture with a symmetrical main elevation with two arched doors central on the ground floor with matching doors above serving the balcony which is supported on two columns. The corners have windows on both the ground and first floor which wrap around the side. There is a large single storey sunroom with full glazing on the rear wrapping part was along the side. There are two, detailed iron vents on the side with a central flower design, T B Talbot Ltd of Dewsbury. The sunroom is set back from the front elevation by 3m with a curved wall and steps down to the drive level concealing bin storage.

The surrounding properties are a mix of house types, fairly large, detached with a mixed palette of brick and stone although there are no other art deco style properties.

Description of Proposal

The applicant is seeking permission for a first floor extension on the south west side of the dwelling, a two storey extension on the north east side of the dwelling with a clopping roof to the front and a curved feature bedroom at first floor over a single storey element with a flat roof to the rear. The walls would be rendered with tile roof sections and living green roof elements.

The plans also show an outbuilding with a width of 18m and a depth of 6m and a height of 2.9m. The roof form would be flat. The walling would be combination of render and horizontal boarding with a living green roof.

Relevant Planning History

2023/93735 – erection of extensions - refused

Preapplication advice was also sought and received under 2025/20252

2025/91578 – erection of extensions and alterations with outbuilding - 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. There are significant issues with the proposal in terms of the scale and design of the development. Amended plans have not been sought although the agent has been made aware. The agent has supplied an email to try and justify the changes to the scheme.

Representations

The application was advertised by site notice, which expired on 30/01/2026

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 35** - Historic Environment

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 16 – Conserving and enhancing the historic 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.

There is planning history with this site including a refused planning application in 2023, a pre application enquiry and an approved application last year. The current proposals have altered the previously agreed scheme and shall be considered below.

Heritage implications:

Local heritage – whether buildings, monuments, sites, places, areas, historic parks and gardens or other designed landscapes – plays an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment.

With respect to 41 Batley Field Hill, also known as The White House, the dwelling is an art deco property built in approx. 1935 by architect, A L Abbot. Although clearly showing some signs of age, the building is a good example of the style with a charm and unique character. As such, the property is considered to be a non-designated heritage asset.

Paragraph 216 of the NPPF says the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy LP35 states that proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm having regard to the scale of the harm and the significance of the heritage asset.

The application site comprises a well-preserved Art Deco dwelling dating from 1935, designed by A. L. Abbot, and recognised as a non-designated heritage asset by virtue of its architectural interest and inclusion on the UK Modern House Index. The proposed extensions and alterations fail to preserve the character and significance of the host property. In particular, the first-floor extension above the garage lacks subservience due to its height and massing, disrupting the original proportions of the building. The introduction of a gabled roof form, front-facing rooflights and revised fenestration on the principal elevation conflicts with the strong horizontal emphasis, restrained roofscape and balanced composition that define the Art Deco character of the dwelling. The resulting solid-to-void relationship appears awkward and visually discordant.

Furthermore, the proposed outbuilding does not adequately reflect or respond to the architectural language of the main house, resulting in a visually disconnected and unsympathetic addition within the site. While the curved bay element to the rear reflects certain geometric forms associated with the original style, this isolated feature does not outweigh the cumulative harm

arising from the scale, form and design approach of the scheme as a whole. The proposal would therefore result in harm to the significance of the non-designated heritage asset and fails to demonstrate a positive or sympathetic response to its architectural character.

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.

Although there are a number of distinct elements within the scheme, given the overall changes proposed, the scheme shall be assessed cumulatively as extensions to the house.

The proposed development would result in an unacceptable impact on the visual amenity of the site and its surroundings. The scale, height and massing of the first-floor extension above the garage would appear overly dominant and visually intrusive, failing to read as a subordinate addition and disrupting the established proportions of the host dwelling. The introduction of a gabled roof form, front-facing rooflights and revised fenestration on the principal elevation would create a visually cluttered and unbalanced appearance, at odds with the simple, coherent composition of the existing building. This would result in an awkward solid-to-void relationship and a loss of visual clarity when viewed from the street. In addition, the proposed outbuilding, by reason of its design and lack of visual alignment with the main house, would appear incongruous within the site, further detracting from the overall visual coherence of the plot. When assessed cumulatively, the proposals would give rise to a discordant and visually harmful form of development that fails to respect the appearance of the host property and would negatively affect local visual amenity.

In response to the Officers email to the agent, outlining our concerns, the agent has responded with further justifications. Officers have carefully considered the points raised but do not agree with the conclusions drawn. An extant permission is acknowledged, and weight can be afforded to it, however, the current proposal must be assessed on its own merits against adopted policy. Officers consider that the scheme introduces a different set of design elements including roofscape and massing impacts which are not mitigated by the reduction or removal of elements from the approved scheme. The use of curved elements and corner glazing, while referencing features of the host property in isolation, are not successfully resolved when read as part of the overall massing, resulting in a development that would appear prominent and incongruous.

Officers also remain concerned about the side extension, overall roof profile and the proposed outbuilding. While the agent has cited avoidance of a two-storey flat-roofed side extension as an improvement, the art deco style of the property would respond to the use of the flat roof form previously approved. The omission of previously approved elements, and the suggestion that some works could be undertaken under permitted development, do not carry weight in the assessment. Furthermore, the outbuilding is considered to contribute to visual clutter within the site and does not reflect the scale, form or character of typical ancillary development, and proposed amendments would not overcome these fundamental concerns. Overall, Officers conclude that the proposal would fail to preserve the character and appearance of the host dwelling and wider street scene and is therefore contrary to relevant design policies.

Having taken the above into account and additional points made by the agent, it is considered that the proposals would result in harm to the visual amenity of both the host dwelling and the wider street scene. By reason of their form, scale and layout, the extensions would appear overly dominant and fail to read as subservient additions, disrupting the proportions and appearance of the existing building. The development is therefore contrary to Policy LP24 of the Kirklees Local Plan, in particular criteria (a) and (c), fails to accord with KDP 1 and 2 of the House Extensions & Alterations SPD, and does not achieve the objectives of Chapter 12 of the National Planning Policy Framework in seeking high-quality, visually appropriate design.

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 39 Batley Field Hill

The adjacent property to the south west occupies a position some 5m from the host property. The extension proposed to the side would not reduce this space between the properties and would result in limited impact in terms of overbearing or overshadowing. The windows would look into the applicants own amenity space with only oblique views into the neighbours garden, which would be screened by the plating between the properties.

The garden building would be located some distance from the neighbouring property to the south west and would result in no overlooking, overshadowing or overbearing.

With regards to the impact on the adjacent 39 Batley Field Hill, 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 41a Batley Field Hill

There is a separation of 19m between the side elevation of the two storey element of the host property and the side elevation of the neighbour adjacent to the north east. This space would be reduced by the extension proposed. However, the relationship is between side elevations and the distances are considered satisfactory in terms of potential for overbearing and overshadowing. It is noted that there is significant screening along the shared boundary with the adjacent dwelling which would minimise the potential for overlooking.

The garden building would be constructed parallel the shared boundary with the neighbour. There is significant screening on site within the hedges and trees (none of which are protected) at present and the application form together with the submitted plans indicate these are not to be removed and would screen the single storey outbuilding, limiting the potential for any overshadowing or overbearing.

With regards to the impact on the adjacent 41a Batley Field Hill, 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 1 Heaton Road

The property on the opposite side of the road occupies a position in excess of 35m from the host property. Given the very substantial separation, the works proposed would have no impact on the amenities of the occupiers of the neighbour dwelling in terms of overbearing, overshadowing or overlooking.

With regards to the impact on the neighbouring 1 Heaton 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 13-17 Lamplands

The properties to the rear occupy positions between 38m and 50m from the site, given the very substantial separation, the works proposed would result in no overlooking, overshadowing or overbearing.

With regards to the impact on the neighbouring 13-17 Lamplands, the scheme is considered to be acceptable 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 and the loss of one of the garages. However, the parking area to the front of the property would not be affected by the proposed extension which together with the retention of the other garage, is considered to represent a sufficient provision. Bin storage for the dwelling would be moved along to the side of the property 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

Negotiations:

None

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application for extensions and alterations together with a detached garden building at 41 Batley Field Hill 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 application site comprises a non-designated heritage asset by virtue of its architectural interest as a well-preserved Art Deco dwelling dating from 1935. The proposed extensions and alterations, by reason of their scale, height, massing, roof forms and fenestration, fail to preserve the character and significance of the host property. In particular, the lack of subservience, the introduction of incongruous gabled forms and front-facing rooflights, and the cumulative impact of the proposed alterations would erode the building's distinctive architectural qualities and coherent design. The proposal therefore results in harm to the significance of a non-designated heritage asset, contrary to Policy LP24 of the Kirklees Local Plan, the House Extensions & Alterations SPD, and the aims of Chapter 12 and paragraph 203 of the National Planning Policy Framework.

The proposed development, by reason of its form, scale, height and layout, would appear overly dominant and visually discordant, failing to read as a subservient addition to the host dwelling. The resulting development would disrupt the proportions, symmetry and visual clarity of the building, creating an unbalanced and awkward appearance that is harmful to the visual amenity of both the host property and the wider street scene. The proposal is therefore contrary to Policy LP24 of the Kirklees Local Plan, in particular criteria (a) and (c), KDP 1 and 2 of the House Extensions & Alterations SPD, and the objectives of Chapter 12 of the National Planning Policy Framework, which seek to secure high-quality and visually appropriate design.

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: 2025/93351

Officer Recommendation: Refuse

Reasons for refusal

1. The proposed extensions and alterations, by reason of their scale, height, massing, roof forms and fenestration, fail to preserve the character and significance of the non-designated heritage asset. Due to the scale and design the development would not appear subservient and the cumulative impact would erode the building's distinctive architectural qualities and coherent design. The proposal therefore results in harm to the character and significance of a non-designated heritage asset, contrary to Policy LP24 and LP35 of the Kirklees Local Plan, the House Extensions & Alterations SPD, and the aims of Chapter 12 and 15 of the National Planning Policy Framework.
2. The proposed development, by reason of its form, scale, height and layout, would appear overly dominant and visually discordant with the simplicity of the host, failing to read as a subservient addition. The resulting development would disrupt the proportions, symmetry and simplicity of the building, creating an unbalanced and awkward appearance that is harmful to the visual amenity of both the host property and the wider street scene. The proposal is therefore contrary to Policy LP24 of the Kirklees Local Plan, in particular criteria (a) and (c), KDP 1 and 2 of the House Extensions & Alterations SPD, and the objectives of Chapter 12 of the National Planning Policy Framework, which seek to secure high-quality and visually appropriate design.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location plan	EX)002	1116917	04/12/2025
Existing plans	(EX)001	1116919	04/12/2025
Site plan	(20)003	1116921	04/12/2025
Proposed plans	(20)001	1116923	04/12/2025
Proposed outbuilding	(20)002	1116924	04/12/2025
Climate change statement	-	1116922	04/12/2025

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.

There are significant issues with the proposal in terms of the scale and design of the development. Amended plans have not been sought although the agent has been made aware.

Report Dated

03/02/2026