

**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:	2025/62/93371/E
Site Address:	5, Dearnfield, Upper Cumberworth, Huddersfield, HD8 8NX
Description:	Erection of two storey side extension to west elevation, including single storey rear extension, two storey side extension to east elevation to replace existing single storey garage and associated alterations
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: 05-Mar-2026

OFFICER REPORT

Site Description

5 Dearnfield is a detached, brick-built property with a drive and gardens to the front, garage attached to the east side, gardens to each side and to the rear.

The property is located on a residential street with a mix of property types surrounding.

Description of Proposal

The proposal comprises several extensions and alterations to the existing dwelling. A new front porch is proposed, projecting 1.3 metres from the existing front elevation and spanning a width of 2.7 metres. The porch would be constructed with a flat roof.

The existing garage would be replaced with a new structure projecting the same distance to the front as the proposed porch, with an additional side projection of 3.4 metres and an overall depth of 9.4 metres. The replacement garage would also be constructed with a flat roof.

To the rear, a single-storey extension is proposed, projecting 2.1 metres from the original rear elevation across the full width of the dwelling. This extension would be finished with a flat roof.

A first-floor side extension above the garage is proposed, set back 2.3 metres from the original front elevation. It would project 3.6 metres from the original side wall and extend to a depth of 4.7 metres. This element would incorporate a hipped roof.

On the opposite side of the dwelling, a further two-storey side extension is proposed. This extension would be set back 0.7 metres from the original front elevation, with a side projection of 3.14 metres and a depth of 7.5 metres. The roof over this extension would also be hipped.

All extensions would be finished with external walls constructed in brick, with tiled roof coverings to match the existing dwelling where pitched roofs are proposed.

Relevant Planning History

2024/92378 - erection of extensions – refused and dismissed at appeal

2024/93470 – erection of extensions – refused

2025/90681 – certificate of lawfulness - refused

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 agent has been made aware that officers do not consider that the reason for refusal has been overcome. Amended plans were requested however the agent opted to provide a justification statement, this has been assessed as part of the review of the submission.

Representations

The application was advertised by site notice, which expired on 06/02/2026

As a result of the above publicity, two representations have been received. The material planning matters raised are summarised as follows:

- The extensions would be disproportionate to the original house.
- Out of character.
- Prominent position in the street.

Although other matters have been raised, such as the potential alternative uses for such a large property and the publicity, only material planning matters can be considered.

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.

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.

Planning permission has been refused and dismissed at appeal previously. The design of the current scheme has changed since the previous applications and full consideration will be carried out below.

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.

The current application demonstrates notable improvements from previous proposals, including increased front and rear setbacks, reduced ridge heights, and matching roof forms. These changes aim to address concerns regarding subservience and architectural coherence, with the applicant emphasizing compliance with the Kirklees House Extensions and Alterations SPD. However, the proposed extensions are still considered disproportionate to the host dwelling and fail to achieve a fully subordinate appearance. The scale and massing of the development remain excessive, and the design does not sufficiently overcome the previous reasons for refusal.

The applicant has argued that the cul-de-sac no longer retains a coherent architectural style due to significant modifications to neighbouring properties. While it is acknowledged that some properties have undergone alterations, the proposed dual aspect extensions to both sides of the dwelling, combined with its prominent siting, result in a bulky and incongruous development. The extensions are larger and more dominant than any other property in the street, disrupting the character and appearance of the area and creating an unbalanced composition.

Officers conclude that the application does not adequately address the previous reasons for refusal, as the extensions continue to appear overly dominant and inconsistent with the character of the area. Consequently, the proposal fails to comply 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.
and is not considered acceptable.

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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 directly to the front or rear which could be affected by the works proposed.

Impact on 4 Dearnfield

The side extension would reduce the space between the host property and the adjacent property to the west. However, this would for the most part align with the side elevation of the neighbouring property, which has limited openings, none of which appear to serve habitable spaces. As such, the potential for overshadowing or overbearing is limited. Furthermore, there are no windows proposed in the side elevation and the openings in the rear elevation would have views into the applicants own amenity space. As such, there would be no significant overlooking.

With regards to the impact on the adjacent 4 Dearnfield, 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 6 Dearnfield

The proposed first-floor side extension would be positioned close to the shared boundary with the adjacent property to the east. Nevertheless, the extension has been designed with a roofline set below the main eaves of the host property and incorporates a first-floor setback to the rear. Its massing would remain within the footprint of the existing garage, and the angled orientation of the dwelling increases the separation from the adjacent property. Although the site sits on slightly higher ground, the reduced height, recessed form and overall positioning of the extension would prevent any significant loss of light or the creation of an overbearing or oppressive relationship when viewed from the neighbouring garden areas.

Furthermore, the adjacent dwelling benefits from a south-facing rear garden within a relatively long and narrow plot. While some late-afternoon overshadowing may occur, the garden would continue to receive adequate daylight for the majority of the day. Clear and open garden views would also be largely retained. The windows proposed would not provide any significant opportunity for overlooking given the spatial relationship between the properties.

With regards to the impact on the adjacent 6 Dearnfield, 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 front 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. The materials planning matters raised are summarised as follows:

- The extensions would be disproportionate to the original house.
- Out of character.
- Prominent position in the street.

Response: *These are material considerations as they relates to visual amenity. While the works proposed would not constitute overdevelopment given the size of the plot, the scale and design of the extensions are considered out of character with the host property and the surrounding area. The extensions would appear disproportionate to the original dwelling, in a prominent position within the street and cannot be supported for this reason.*

Although other matters have been raised, such as the potential alternative uses for such a large property and the publicity, only material planning matters can be considered.

Negotiations:

None

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application to extend and alter 5 Dearnfield 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 extensions and alterations, due to the design and scale would not form subservient additions to the property and would result in a contrived and unsympathetic appearance which would be harmful to the character of the host property and the surrounding area. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extensions & Alterations SPD and advice within Chapter 12 of the National Planning Policy Framework.

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: 2025/93371

Officer Recommendation: Refuse

Reasons for refusal

1. The proposed extensions and alterations, due to the design and scale would not form subservient additions to the property and would result in a contrived and unsympathetic appearance which would be harmful to the character of the host property and the surrounding area. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extensions & Alterations SPD and advice within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Existing plans	P01	1117964	05/12/2025
Proposed plans	P02	1117963	05/12/2025
Justification	-	-	26/02/2026
Climate change statement	-	1117967	05/12/2025
Design statement	-	1117966	05/12/2025

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.

The agent has been made aware that officers do not believe that the reason for refusal has been overcome. Amended plans were requested however the agent opted to provide a justification statement

Report Dated

04/03/2026

