

**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:	2026/62/90217/E
Site Address:	3, Track Road, Batley, WF17 7AE
Description:	Raising of part of roof height and erection of dormer extension and 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: 27-Mar-2026

OFFICER REPORT

Site Description

3 Track Road is an attractive stone built, double fronted dwelling with a garden to the front. It is of traditional design and character with symmetrical roof form. It occupies a prominent position elevated above Halifax Road and visible from Track Road.

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 applicant is seeking permission to raise part of the roof and form a dormer.

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. Raising part of the roof and installing a dormer would be out of character with the main house and result in the formation of an incongruous feature. Amended plans have not been sought.

Representations

The application was advertised by site notice, which expired on 09/03/2026

As a result of the above publicity, one representation has been received which does not object to the proposals per se however it does cite concerns regarding the red line, potential obstruction of shared access, damage to shared access and blocking parking.

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
- **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 some form of extension maybe considered acceptable, subject to assessment 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.

The House Extensions & Alterations SPD states at 5.24 that: *Roofs are a prominent and visible element of the street scene. Unsympathetic roof extensions and dormer windows can have a significant effect on the visual appearance of both the individual building and street scene. Poorly designed roof extensions and dormer windows can make a building appear top-heavy, cluttered and asymmetrical.*

The proposed increase in roof height and introduction of a dormer would disrupt the existing roofscape, extending beyond what can reasonably be considered a minor or contained alteration. The increase would protrude above the ridge line of the dwelling disrupting the special character of the host building. The use of vertically hung tiles for the dormer cladding would not sufficiently mitigate the visual impact, as the additions would be an

unsympathetic addition, appearing incongruous and fail to integrate successfully with the character of the host dwelling.

Given the design and scale of the alterations proposed and the property's prominence within the streetscene, the works are considered to result in appreciable harm to the visual amenity of the dwelling and the established character of the surrounding area. The development would detract from the character of the host and surrounding area and is therefore unacceptable in terms of visual amenity.

Having taken the above into account, the proposals would disrupt the symmetry of the host building and form an incongruous feature which would represent harm to its special architectural character detracting from visual amenity. The proposals fail to with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout, 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.

The modest scale and position of the dormer together with the siting of the openings is such that there would be no overshadowing, overbearing or loss of privacy to any neighbouring occupants.

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 property has a garage which would provide parking for at least 1 vehicle. Given the works proposed result in a single additional bedroom, despite the increase, there appears to be limited scope to increase off street parking. Whilst the access and parking pose a concern it is considered, on balance, that a refusal on this basis could not be substantiated due to the scale of development proposed.

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.

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:

One representation has been received which does not object to the proposals per se however it does cite concerns regarding the red line, potential obstruction of shared access, damage to shared access and blocking parking.

Whilst most of these matters are not material considerations, the potential for impact on highway safety is material. The concerns appear to relate to the potential for workmen's vehicles during construction. Given the transitory nature of construction works together with the limited scope of domestic works and the position of the property off the main road on a private track, there is nothing to condition. However, a note will be added in terms of access and ownership to remind the applicant that there are other responsibilities under separate legislation.

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application to raise a section of the roof and install a dormer at 3 Track 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 increase in roof height and dormer would form an incongruous feature and fail to respect the form, scale and detailing of the host dwelling and character of the surrounding area. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extension & Alterations SPD and Chapter 12 of the Nation 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: 2026/90217

Officer Recommendation: Refuse

Reasons for refusal

The proposed increase in roof height and dormer extensions would form incongruous features failing to respect the symmetrical form, scale and architectural detailing of the host building. To permit the proposals would introduce unsympathetic features to the detriment of the character of the individual building and street scene contrary to KDP1 and KDP2 as well as Paragraph 5.24 of the House Extensions and Alterations SPD, Policy LP24 of the Kirklees Local Plan, and Chapter 12 of the Nation Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Existing plans	01a	1124451	30/01/2026
Proposed plans	02a	1124452	30/01/2026
Climate change statement	-	1124460	30/01/2026

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.

Raising part of the roof and installing a dormer would be out of character with the dwelling and result in the formation of an unsympathetic and incongruous feature. Amended plans have not been sought.

Report Dated

25/03/2026

