

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:	2026/62/90222/E
Site Address:	16, Bevor Crescent, Heckmondwike, WF16 9AR
Description:	Erection of single and two storey rear extension and two storey 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: 21-May-2026

OFFICER REPORT

Site Description

16 Bevor Crescent is a brick built, semi-detached dwelling with a drive to the front and side, gardens to the front and rear.

The surrounding area is residential with properties which are similar in terms of age.

Description of Proposal

The planning permission has been granted to erect a two storey side extension and a single storey rear extension. The current proposals seek to include a first floor extension to the rear.

In addition to the approved plans, the proposals now include a first floor extension to the rear of the original house with a projection of 3m. the roof form would be hipped.

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

Relevant Planning History

2025/93198 – two storey side extension and a single storey rear extension - 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 projection of the first floor rear extension along the shared boundary would result in an overbearing impact on the bedroom window of the adjoining property. The agent has been made aware of the concerns and has requested a determination based on the submitted plans.

Representations

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

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

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

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.

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.

The proposal under consideration consists of two distinct elements which shall be addressed below.

Two storey side extension

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.

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.

Two storey rear extension

Paragraphs 5.1 and 5.2 of the House Extensions & Alterations SPD go into further specific detail regarding rear extensions requiring development to maintain the quality of the residential environment, respect the original house and use appropriate materials.

Although the rear extension would be significant in size and now includes a first floor with a lesser projection of 3m, there would be some modest amenity space retained. The materials proposed would match the main house. It is also noted that there are similar extensions in the wider area. Furthermore, there is a larger home notification agreed.

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.

Impact on 14 Bevor Crescent

The side extension would be located on the opposite side of the host property to the adjoining dwelling and as such would have no impact on the amenities of the occupiers of the adjoining dwelling.

The rear extension would be constructed along the shared boundary and would likely result in some overshadowing and overbearing. Whilst the ground floor of the rear extension has already been agreed through the larger home notification scheme, the first floor element is a new addition and would infringe the 45 degree guidelines, thereby resulting in an overbearing and oppressive impact on the bedroom window of the adjoining property as well as

overshadowing in the morning with no mitigating factors. The windows in the rear would look into the applicants own amenity space with limited potential to overlook the neighbouring property.

With regards to the impact on the adjoining 14 Bevor Crescent, 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.

Impact on 18 Bevor Crescent

The side extension would reduce the space between the host property and the adjacent dwelling. However, the neighbouring property has limited openings in the side elevation and these appear to serve non habitable spaces. Furthermore, the area to the side of the neighbouring property forms the path to the rear of the dwelling. As such, there would be no significant overbearing or overshadowing. The windows would be in the front and rear of the extension looking over the street and the applicant rear garden with limited views to the neighbouring property.

For the most part the rear extension has been agreed through the larger home notification. However, the area of the rear extension to the rear of the proposed side extension is not included in the larger home notification. Although the projection is greater than normally support, it is set slightly in from the shared boundary. Given the single storey height of the ground floor element and set back nature of the first floor from the shared boundary, there would be no significant overbearing or overshadowing. The windows in the rear elevation would look into the applicant own amenity space with limited potential to overlook the neighbouring property.

With regards to the impact on the adjacent 18 Bevor Crescent, 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 15 Curwen Crescent

The neighbouring property to the rear occupies a position some 32m from the host property. Given the significant separation, the proposed extensions to the side and rear of the host property would result in no overlooking, overshadowing or overbearing.

With regards to the impact on the neighbouring 15 Curwen Crescent, 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 15 Bevor Crescent

The neighbouring property on the opposite side of the road occupies a position some 24m from the site. Given the separation, there would be no overlooking, overshadowing or overbearing.

With regards to the impact on the neighbouring 15 Bevor Crescent, 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 first floor element of the proposals are considered to result in an overbearing and oppressive impact as well as overshadowing in the morning 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 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:

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 to erect a two storey side extension and a single storey extension to the rear of 16 Bevor Crescent 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 rear extension, by reason of its projection and position along the shared boundary with the adjoining dwelling would result in an overbearing and oppressive impact along with overshadowing in the morning on the bedroom window of the adjoining 14 Bevor Crescent. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP5 & KDP6 of the House Extensions & Alterations SPD and 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:** 2026/90222**Officer Recommendation:** Refuse**Reasons for refusal**

1. The proposed first floor rear extension, by reason of its projection and position along the shared boundary with the adjoining dwelling would result in an overbearing and oppressive impact along with overshadowing in the morning on the bedroom window of the adjoining 14 Bevor Crescent to the detriment of the amenity of the occupants. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP5 & KDP6 of the House Extensions & Alterations SPD and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location & site plans	CAD-A3L-1	1123430	26/01/2026
Existing floor plans	CAD-A3L-2	1123434	26/01/2026
Proposed floor plans	CAD-A3L-3	1123433	26/01/2026
Elevations	CAD-A3L-4	1123432	26/01/2026
Elevations	CAD-A3L-5	1123431	26/01/2026
Climate change statement	-	1123435	26/01/2026

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.

The projection of the first floor rear extension along the shared boundary would result in an overbearing impact on the bedroom window of the adjoining property. The agent has been made aware of the concerns and has requested a determination based on the submitted plans.

Report Dated 15/05/2026

