

**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:	2026/62/90223/E
Site Address:	5, Park Croft, Dewsbury, WF13 2LN
Description:	Erection of first floor rear 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: 24-Mar-2026

OFFICER REPORT

Site Description

5 Park Croft is a semi-detached property with a drive to the front and enclosed garden to the rear. The property has an existing single storey extension to the rear and a detached outbuilding.

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 erect a first floor rear extension.

The extension is proposed to project 4m from the original rear wall of the dwelling and would extend across the width of the property with a flat roof form.

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

Relevant Planning History

2016/92720 – larger home notification for 4m rear extension – agreed and built

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 concerns with the impact on the adjoining property as the extension would result in overbearing of the first floor window. There are also concerns with the flat roof design at first floor which is poor design. Amended plans have not been sought.

Representations

The application was advertised by site notice, which expired on 02/03/2026

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
- **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 13 – Protecting green belt land
- 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 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.

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.

The proposed first-floor rear extension would not result in significant harm to visual amenity in terms of its siting and scale, and the use of walling materials to match the main dwelling would assist in integrating the development with the host property. However, the flat-roof represents a poor standard of design that fails to reflect the existing roof form of the dwelling. As a result, the extension would appear incongruous and out of character with the established appearance of the property, to the detriment of the visual amenity of the area.

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.

There are no properties directly to the rear which could be affected by the works proposed.

Impact on 3 Park Croft

The gap between the properties minimises the potential for the proposed first floor extension to result in any overshadowing or overbearing. The windows would be located in the rear elevation facing into the applicants own garden with only angled views towards the rear most extent of the neighbour's garden.

With regards to the impact on the adjacent 3 Park Croft, 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 7 Park Croft

The extension would be constructed along the shared boundary with the adjoining property and would be close to the neighbour's bedroom window and would result in an overbearing impact. Given the position of the extension to the south of the neighbour, there would also be overshadowing from the middle of the day. The windows would be in the rear elevation and would look into the applicants own amenity space with limited views over the rear most extent of the neighbour's garden area.

With regards to the impact on the adjoining 7 Park Croft, 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.

Having considered the above factors, the proposals are considered to result in overshadowing and overbearing of the bedroom window of the adjoining property, 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. The property has a single parking space and there is limited on street parking which 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

The development is for a first floor extension to the rear dwelling with a flat roof which would not impact on the original roof of the property. Whilst the property is sited in area, which is known to include bat habitats, in this instance, as the works proposed are single storey and include no work to the main roof, then it is considered unlikely to have an impact on the bat population.

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

None as the recommendation is for refusal.

Conclusion:

This application to erect a first floor extension to the rear of 5 Park Croft 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 flat roof design, would not represent good design and would result in an incongruous feature, out of character with the surroundings. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP1 & KDP2 of the House Extensions & Alterations SPD and Chapter 12 of the National Planning Policy Framework.

The proposed first floor rear extension, given its siting along the shared boundary with the adjoining dwelling would result in an overbearing impact and overshadowing in the afternoon on the bedroom window of the adjoining 7 Park Croft. 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: 2026/90223

Officer Recommendation: Approve

Reasons for refusal

1. The proposed first floor rear extension, by reason of its flat roof, would not represent good design and would result in an incongruous feature, out of character with the host building and 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 Chapter 12 of the National Planning Policy Framework.
2. The proposed first floor rear extension, due to its siting along the shared boundary with the adjoining dwelling would result in an overbearing impact and overshadowing in the afternoon of the bedroom window of the adjoining 7 Park Croft to the detriment of residential 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	1	1123485	28/01/2026
Floor plans	2	1123486	28/01/2026
Front & rear elevations	3	1123487	28/01/2026
Side elevations	4	1123488	28/01/2026
Climate change statement	-	1123489	28/01/2026

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.

There are concerns with the impact on the adjoining property as the extension would result in overbearing of the first floor window. There are also concerns with the flat roof design at first floor which is poor design. Amended plans have not been sought.

Report Dated

23/03/2026

