

**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:	2026/62/90631/E
Site Address:	774, Bradford Road, Birstal, Batley, WF17 8NL
Description:	Erection of two storey and first floor extension to create dwelling forming annex accommodation associated with 774, Bradford Road, Birstal, Batley, WF17 8NL
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: 5-Jun-26

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OFFICER REPORT

Site Description

The application relates to a recently built, two storey dwelling with a garage attached set within a vehicle and boatyard.

The surrounding area is predominantly commercial.

Description of Proposal

The applicant is seeking permission to erect extensions to form an annex.

The plans show a living room, kitchen and wc on the ground floor of the extension adjoining the existing garage with a first floor over both the garage and the new ground floor accommodation with three bedrooms, one with an ensuite and a family bathroom.

The first floor extension over the garage and to the side would have an upper projection of 10m with the additional ground floor projecting 5.3m. The roof form would be a sloping pitch.

Relevant Planning History

2018/90805 - Change of use of part of land from private boat yard to buying and selling vehicles and erection of detached dwelling – approved

2017/90345 - Change of use of part of land from private boat yard to buying and selling vehicles and erection of detached dwelling - 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 annex is considered to be significantly larger than would be considered appropriate and acceptable and does not appear subordinate to the main dwelling thereby appearing as a separate dwelling unit.

In addition, it does not rely on any internal features of the main house, although it is acknowledged that external amenity space would be shared. Furthermore, the design of the annex is not considered to be complimentary to the style and character of the main property. Amended plans have not been requested.

Representations

The application was advertised by site notice, which expired on 20/04/2026

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 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.

The proposed annex is considered to be significantly larger than would reasonably be acceptable for such an addition and, as a result, fails to appear subordinate to the host dwelling contrary to the House Extensions & Alterations SPD. Its scale and independent nature are further emphasised by the lack of reliance on shared internal facilities within the main house,

functioning instead as a largely self-contained unit, notwithstanding the acknowledgement that external amenity space would be shared.

Furthermore, the design approach adopted for the annex is not considered to be sympathetic or complementary to the architectural style and character of the main dwelling, resulting in a form of development that appears incongruous within its context and harmful to the overall visual coherence of the site.

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 other residential properties in the area which could be affected by the works proposed.

Impact on the occupant of the annex

The proposed annex has been assessed against the Nationally Described Space Standards (NDSS). In order to meet the standards the accommodation for a three bedroom, 6 person unit should provide 102sqm. Measuring the annex it would exceed this standard at 111sqm. As the accommodation is ancillary, weight is afforded to this due to the flexible living provided in association with the main dwellinghouse with access to outdoor space. The bedrooms provide between 24.2sqm and 12.8sqm of space which is in compliance with the NDSS. These dimensions ensure an acceptable standard of internal amenity for future occupants, with adequate space for day-to-day living and circulation. There is also access to the shared amenity space with the main dwelling.

Impact on the host property

In terms of the impact on the amenity of the occupants of the host dwelling, it is noted that the annex would be adjoining the side elevation of the main house. The proposal would not significantly increase, loss of light, or other amenity impacts for the occupants of the main dwelling per se but would reduce the amenity space appearing overdeveloped.

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, there is space for a lot of parking in the grounds 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

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:

None

Negotiations:

None

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application to erect a two storey side extension to form annex accommodation associated with 774 Bradford 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 annex, by virtue of its excessive scale and massing, fails to appear as a subordinate addition to the host dwelling and instead represents a form of development that is disproportionately large. The annex would function as a largely self-contained unit, lacking reliance on the internal facilities of the main house, notwithstanding the sharing of external amenity space, and therefore undermines its status as an ancillary form of accommodation. Furthermore, the design of the annex is not considered to be sympathetic or complementary to the architectural style and character of the main dwelling, resulting in an incongruous form of development that is detrimental to the character and appearance of the site and surrounding area. To permit the proposals would be contrary LP24 of the Kirklees Local Plan, KDP1 & KDP2 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: 2026/90631

Officer Recommendation: Refuse

Reasons for refusal

The proposed annex, by virtue of its scale and massing, fails to appear as a subservient addition to the host dwelling and instead represents a form of development that is disproportionately large. Notwithstanding the sharing of external amenity space, the annex lacks ancillary connection to the main dwelling rather than dependent accommodation, undermining the ancillary form of accommodation. Furthermore, the design of the annex is not considered to be sympathetic or complementary to the architectural style and character of the main dwelling, resulting in an incongruous form of development that is detrimental to the character and appearance of the site and surrounding area. To permit the proposals would be contrary LP24 of the Kirklees Local Plan, KDP1 & KDP2 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 plan	-	1129593	09/03/2026
Block plan	-	1129592	09/03/2026
Existing plans	-	1129595	09/03/2026
Proposed plans	-	1129594	09/03/2026
Climate change statement	-	1129596	09/03/2026

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 annex is considered to be significantly larger than would be acceptable and does not appear subordinate to the main dwelling. In addition, it does not rely on any internal features of the main house, although it is acknowledged that external amenity space would be shared. Furthermore, the design of the annex is not considered to be complimentary to the style and character of the main property. Amended plans have not been requested.

Report Dated 04/06/2026

