

**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:	2026/62/90636/E
Site Address:	30, Mallard Close, Heckmondwike, WF16 0NE
Description:	Erection of two storey rear extension and side dormer window and raising height of roof and eaves to form second floor
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: 01-May-2026

OFFICER REPORT

Site Description

30 Mallard Close is a stone built, detached dwelling with a very small open garden at the front, a drive and detached garage to the side and a small enclosed garden at the rear.

The property backs onto a work yard and has a footpath to the front with similarly aged dwellings to each side although varied in terms of design.

Description of Proposal

The applicant is seeking permission to raise the roof, install a side dormer and erect a two and a half storey extension to the rear.

The eaves height of the dwelling would be increased by 0.9m with an increase to the apex of 0.4m.

The side dormer would have a width of 2.9m and a height of 1.1m with a window.

The rear extension would project 5m from the original rear wall of the dwelling, extending across the width of the dwelling.

The walls would be constructed using stone with tiles for the roof covering. The dormer would be clad with vertically hung tiles.

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. The increase in the roof height would bring the dwelling height above the other properties in this section of the road and would result in visually awkward proportions. Furthermore, the scale of the rear extension proposed would overdevelop the small rear garden of the property. Amended plans have not been sought.

Representations

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

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

- Overdevelopment,
- Out of character,
- Overlooking,
- Overbearing,
- Parking concerns,
- Noise and disruption.

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 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 on to 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.

Roof Alterations

With regard to visual amenity, the proposal includes an increase in both the eaves height and overall ridge height of the dwelling, alongside the insertion of a dormer. As a result, the amended dwelling would exceed the height of neighbouring properties within the same row of two-storey dwellings constructed at a similar time. Although it is appreciated that the increase in overall height is only 0.4m, the design results in a development that would be out of keeping with its neighbours. The dwelling forms a 'book end' to this small development, mirroring the scale and design of the property at the opposite end of the row. Whilst it is noted that the streetscene to the south east changes to three-storey townhouses which are differing building line, materials and design and therefore read as a separate character and architectural style. Consequently, the increase in height at the host property would not serve to visually link the two forms of development and would instead appear as an incongruous addition, disrupting the established character of the existing row. Notwithstanding this, the dormer itself is modest in scale, discreetly positioned, and would result in only limited visual impact within the wider streetscene.

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.

The proposed rear extension would project approximately 5 metres from the rear elevation. Given that the existing garden measures only around 7 metres in depth and 7.45 metres in width, the extension would occupy the substantial majority of the available rear amenity space. As such, the proposal would represent an unacceptable scale of built form within the plot, resulting in an overdevelopment of the rear garden area and failing to maintain a suitable balance between built development and private external space which would be out of character with the house and surrounding properties. The height and depth of the extension would appear excessive in this constrained context, leading to a visually dominating rear elevation. Furthermore, the increased roof height in combination with the form of the extension and the arrangement of openings would significantly alter the proportions of the host dwelling, resulting in a visually awkward and ungainly appearance that would detract from the character and visual amenity of the property. Although it is noted that the materials proposed would be to match the main house, the overall scale and appearance is unacceptable in terms of visual amenity.

Cumulative impact

When considered cumulatively, the proposed raising of the roof to increase both the eaves and overall ridge height, together with the substantial 5-metre rear extension, would result in a form of development that is not subordinate to the host dwelling. The combined scale of the works would significantly alter the original proportions and appearance of the property, such that it would no longer read as a modestly extended dwelling. The increase in height would cause the property to appear overly prominent within the existing row, while the depth and scale of the rear extension would represent an excessive level of development within a restricted plot, effectively overdeveloping the rear garden space. Taken together, the proposal would create a

visually awkward and unbalanced form, failing to respect the scale, proportions, and character of the host dwelling and resulting in an unacceptable cumulative impact on visual amenity.

Having taken the above into account, the proposals would cause significant harm in terms of visual amenity for both the host dwelling and the wider street scene as outlined above. Thereby failing 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.

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 28 Mallard Close

In terms of impact on neighbouring residential amenity, it is noted that there is a separation distance of approximately 3.5 metres between the host property and the adjacent neighbour to the west. This gap, together with the presence of the neighbouring garage along the shared boundary, would serve to limit the potential for the proposed increase in roof height and the rear extension to result in any materially harmful overshadowing or an overbearing impact. However, a 45 degree angle may impinge on the rear first floor window and result in some loss of privacy to the occupants. It is unclear from the submitted details whether this is the case. As such, it cannot be concluded that the rear extension would not impact on amenity.

The windows proposed within the rear elevation would be orientated primarily towards the applicant's own garden and private amenity space. Given the siting of neighbouring properties and the existing boundary treatments, there would be only limited potential for direct overlooking, and no significant loss of privacy to adjoining occupiers is identified.

With regards to the impact on the adjacent 28 Mallard Close, 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 raises concerns, a

reason for refusal on this basis has not been included as the details could be amended to address this point.

Impact on 32 Mallard Close

The neighbouring property to the south-east is situated at a distance of approximately 4.3 metres from the application site and is positioned on a differing alignment, with the rear elevations of the respective dwellings separated by around 10.9 metres. This spatial relationship, together with the staggered linear arrangement of the properties, ensures that the proposed increase in roof height and the rear extension would not give rise to adverse impacts in terms of overlooking, overshadowing, or overbearing effects. On this basis, the proposal is not considered to result in a material loss of residential amenity to the occupiers of the neighbouring property to the south-east.

With regards to the impact on the adjacent 32 Mallard Close, 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. Whilst it is noted that the garage is not of a sufficient size to constitute a modern standard with its width of 2.8m and its depth of 5.4m, it is noted that there is space to the front which currently provides parking for two vehicles. Whilst the development would increase the dwelling from three to five bedrooms, for which the provision of an additional parking space would ordinarily be preferable, the retention of two off-street parking spaces is, on balance, considered just sufficient to serve the amended level of accommodation. 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:

Six representations have been received. The material planning matters received are summarised as follows:

- Overdevelopment – **Response:** *the rear amenity space is small and the extension proposed would cover much of it. With the rear extension and the increase in height, the plot would be overdeveloped,*
- Out of character – **Response:** *whilst the street has a couple of styles of property, the changes proposed to this house would not be like any other property on the street, with the atypical appearance, this would be out of character,*
- Overlooking – **Response:** *the spatial relationship with the neighbouring properties is such that there would be no overlooking,*
- Overbearing – **Response:** *the spatial relationship with the neighbouring properties is such that there would be no overbearing,*
- Parking concerns – **Response:** *Whilst the development would increase the dwelling from three to five bedrooms, for which the provision of an additional parking space would ordinarily be preferable, the retention of two off-street parking spaces is, on balance, considered just sufficient to serve the amended level of accommodation.*
- Noise and disruption – **Response:** *Although this is a material consideration relating to residential amenity, there is an expectation that there will be such effects as part of the activities associated with construction and such effects would be transient. This would not therefore form a reason for refusal. A note would be added to any subsequent approval reminding the applicant of the appropriate hours of work in line with Environmental Legislation.*

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application to raise the roof over the property and erect a rear extension at 30 Mallard Close 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 eaves and ridge height would result in the dwelling exceeding the height of neighbouring properties within the established row of two-storey dwellings. While the host property occupies an end-of-row position, the transition to three-storey townhouses occurs on a different building line and architectural form. As such, the increased height would appear visually incongruous, disrupting the uniform scale and character of the row and causing harm to the visual amenity of the streetscene. 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 5-metre rear extension would project into a rear garden of only approximately 7 metres in depth, occupying the majority of the available private amenity space. In this constrained context, the scale and bulk of the extension would represent an excessive and over-dominant form of development, resulting in the overdevelopment of the rear of the plot. The extension would fail to respect the original proportions of the host dwelling and would detract from its visual appearance. 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.

When considered cumulatively, the increase in roof height and the substantial rear extension would significantly alter the form, scale, and proportions of the host dwelling. The combined works would fail to remain subordinate to the original building, resulting in a visually awkward and unbalanced form that would no longer read as a modest extension. As such, the proposal would fail to respect the character and architectural integrity of the host dwelling and would result in an unacceptable cumulative impact on visual amenity. 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 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:** 2026/90636**Officer Recommendation:** REFUSE**Reasons for refusal**

1. The proposed development due to the increase in eaves and ridge height would result in the dwelling exceeding the height of neighbouring properties within the established row of two-storey dwellings to the detriment of the streetscene. The increased height would appear visually incongruous, disrupting the uniform scale and character of the row and resulting in harm to visual amenity. 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.
1. The proposed 5-metre rear extension would project into a rear garden of only approximately 7 metres in depth, occupying the majority of the available private amenity space. In this constrained context, the scale and bulk of the extension would represent an excessive and dominant form of development, resulting in the overdevelopment of the rear of the plot. The extension would fail to respect the original proportions of the host dwelling and would detract from its visual appearance. 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. When considered cumulatively, the increase in roof height and the substantial rear extension would significantly alter the form, scale, and proportions of the host dwelling. The combined works would fail to remain subordinate to the original building, out of scale and unbalanced form that would no longer read as a modest extension. As such, the proposal would fail to respect the character and architectural integrity of the host dwelling and would result in an unacceptable cumulative impact on visual amenity. 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.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location plan	1	1129889	06/03/2026
Floor plans	2	1129898	06/03/2026
Side elevations	3	1129897	06/03/2026
Front & rear elevations	4	1129896	06/03/2026
Street scene	5	1130133	06/03/2026
Climate change statement	-	1129891	06/03/2026

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 increase in the roof height would bring the dwelling height above the other properties in this section of the road and would result in visually awkward proportions. Furthermore, the scale of the rear extension proposed would overdevelop the small rear garden of the property. Amended plans have not been sought.

Report Dated 21/04/2026