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:	**2026/62/91042/E**
Site Address:	8, Hartley Grove, Dewsbury, WF13 2BL
Description:	Erection of 3 storey side extension with rear dormers and front porch
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-Jun-2026

OFFICER REPORT

Site Description

8 Hartley Grove is a semi-detached dwelling located off the main road with gardens to the front, side and rear. The property has stone to the front elevation which faces north with brick for the side and rear walls.

The property fronts onto open grassland with similar dwellings to the sides and rear.

Description of Proposal

The applicant is seeking permission to erect a three storey extension to the side with a dormer to the rear.

The side extension would project 5.1m from the original side wall of the dwelling, extending the depth of the dwelling. The roof form would be pitched to match the main house. A garage would be formed on the lower ground floor.

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

The rear dormer would have a width of 10.2m with a height of 2.6m. The dormer cheeks would be clad with tiles.

Relevant Planning History

1999/92396 – erection of three storey extension and conservatory – refused

1999/93252 – erection of three storey extension and bay window - 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 proposals raise concerns in terms of the incongruous size and appearance of the rear dormer and the potential for overlooking of the neighbouring property to the side. Amended plans have not been sought.

Representations

The application was advertised by site notice, which expired on 08/06/2026

As a result of the above publicity, one representation has been received. The material planning matters raised are summarised as follows:

- Loss of light.

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 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 the 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.

The proposed two-storey side extension, by virtue of its siting and scale, would have a notable impact on the visual amenity of the host dwelling. Whilst the application indicates that materials would match those of the existing property, which would assist in achieving a degree of visual cohesion, the extension would not be set down or set back from the principal elevation and would appear as a dominant addition. Furthermore, the overall bulk and footprint of the extension would exceed that of the original dwelling, resulting in a form of development that appears disproportionate and would not be subservient to the original building, to the detriment of the character of the host property. However, it is acknowledged that the dwelling is not located within a traditional linear streetscene, and a gap would still be retained to the side boundary, which would provide some visual relief and mitigate the perception of a terracing effect. On balance, despite these mitigating factors, the scale and positioning of the extension would result in a form of development that appears overly dominant and fails to respect the proportions of the original dwelling.

Rear dormer

In point 5.25 of the House Extensions & Alterations SPD, rear dormers can be considered to be appropriate dependent upon design and size.

The proposed rear dormer extension, by reason of its substantial scale and bulk, would appear as an overly prominent and incongruous addition to the host dwelling. Its size would dominate the roof slope, resulting in a form of development that is not sympathetic to the proportions or character of the existing building. While it is noted that the dormer would be finished in vertically hung tiles, which could assist in integrating the materials palette with the host property, this would not sufficiently mitigate the visual impact arising from its excessive scale. Consequently, the dormer would represent a visually intrusive feature that detracts from the overall appearance of the dwelling.

Having taken the above into account, the proposals would cause harm to the visual amenity in terms of the host dwelling and the wider street scene. The proposals therefore fail 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 not form a subservient addition to the property and would therefore not be 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.

<u>Impact on residential amenity</u>:

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 to the front which could be affected by the works proposed.

Impact on 4 Hartley Grove

The proposed side extension would reduce the separation between the flank elevation of the host property and the neighbouring property to the east to approximately 15 metres. While, in principle, a relationship between a blank side elevation and a rear elevation at this distance may often be considered acceptable, there are specific factors in this case that weigh against such an arrangement.

Firstly, the site's topography is a significant consideration. The host property is situated at a higher level relative to the neighbouring dwelling, meaning the extension would appear more prominent and potentially overbearing when viewed from the neighbour's property. This elevated position would exacerbate the perceived scale and visual impact of the development.

In addition, the submitted plans indicate the inclusion of a window within the side elevation of the extension. Although described as serving a secondary function, this window would nonetheless provide outlook from a habitable room. Its size and positioning would allow direct views towards the neighbouring property, including both its private amenity space and rear-facing windows. As such, it would give rise to material concerns regarding loss of privacy and overlooking, further compounding the overall impact of the proposal.

With regards to the impact on the neighbouring 4 Hartley Grove, 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 2 Hartley Grove

A similar relationship exists with the property adjoining number 4. However, there is a detached outbuilding between the properties which would mitigate the potential for overlooking.

The rear dormer would be set up within the roof plane and as such would not result in any overlooking, overshadowing or overbearing.

With regards to the impact on the adjacent 2 Hartley Grove, 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 10 Hartley Grove

The side extension would be located on the opposite side of the host property to the adjoining dwelling. As such, there would be no overlooking, overshadowing or overbearing.

The rear dormer would be set up within the roof plane with limited potential for any additional overshadowing, overbearing or overlooking.

With regards to the impact on the adjoining 10 Hartley Grove, 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 46 & 48 Hartley Street

The neighbouring properties to the rear are located in relatively close proximity, with a separation distance of approximately 10 metres from the host dwelling. While it is acknowledged that this distance would remain unchanged by the proposed development, the extension would increase the overall width and built form of the property, thereby intensifying the relationship with these neighbouring dwellings.

In particular, the development would create a more direct and pronounced relationship with No. 46 to the rear. The proposed layout introduces habitable room windows facing towards the neighbour's rear elevation, including a kitchen/lounge/diner at ground floor level and a bedroom window at first floor level. This arrangement would result in increased opportunities for direct overlooking into the neighbouring property's private amenity space and rear-facing windows.
Furthermore, the elevated position of the host site, when considered alongside the relatively modest separation distance, would exacerbate both the sense of overlooking and the perceived dominance of the extension. Together, these factors would give rise to an overbearing presence when viewed from the neighbouring property.

It is recognised that the host property is positioned to the north of the neighbouring dwellings, which would limit the extent of additional

overshadowing. It is also noted that the alignment between properties is not entirely direct, but this slight offset is insufficient to mitigate the concerns identified. On balance, the proposal would still result in unacceptable impacts in terms of loss of privacy and an overbearing relationship with the neighbouring property.

With regards to the impact on the neighbouring 46 & 48 Hately Street, 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 unacceptable.

Having considered the above factors, the proposals result in harm to neighbouring properties 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 proposals include the provision of a garage and there is parking for two vehicles to the rear of the dwelling 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:

One representation has been received. The material planning matters raised are summarised as follows:

- Loss of light – **Response:** *this is a material consideration. The development would not be close enough to any of the neighbouring properties to result in overshadowing.*

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application to erect a three storey side extension and rear dormer at 8 Hartley Grove 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 two-storey side extension, by reason of its width, scale and massing, would not appear subservient to the host dwelling. Instead, it would visually compete with the original building and disrupt its proportions, resulting in an incongruous and overly dominant addition that is harmful to the character and appearance of the host property and the wider street 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.

The proposed rear dormer extension, due to its excessive size, bulk and extent across the roof slope, would appear overly prominent and unsympathetic to the form of the existing roof. As such, it would represent a visually intrusive and incongruous feature that detracts from the character and appearance of the host dwelling. 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 development would introduce a side elevation window serving a habitable room, which, despite being described as secondary, would afford direct views towards the neighbouring property at No. 4 Hartley Grove. Given the relative site levels, with the host property positioned at a higher elevation, this relationship would result in an unacceptable degree of overlooking and loss of privacy to the neighbouring property's rear elevation and private amenity space. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP3 & KDP6 of the House Extensions & Alterations SPD and Chapter 12 of the National Planning Policy Framework.

By reason of its increased width, elevated position and close proximity (approximately 10 metres), the proposed extension would create a more direct and intensified relationship with No. 46 Hartley Street. The inclusion of habitable room windows at both ground and first floor levels facing towards this neighbouring property would result in harmful overlooking. Furthermore, the scale and massing of the extension would give rise to an overbearing and dominating impact, to the detriment of the residential amenity of the occupiers of No. 46. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP3 & 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: 2026/91042
Officer Recommendation: Refuse
Reasons for refusal

1. The proposed two-storey side extension, by reason of its width, scale and massing, would not appear subservient to the host dwelling. It would visually compete with the original building and disrupt its proportions, resulting in an incongruous and overly dominant addition that is harmful to the character and appearance of the host property and the wider street 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.

1. The proposed rear dormer extension, due to its size, bulk and extent across the roof slope, would appear overly prominent and unsympathetic to the scale and form of the existing roof. As such, it would represent a visually intrusive and incongruous feature that detracts from the character and appearance of the host dwelling. 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 development would introduce a side elevation window serving a habitable room, which, despite being described as secondary, would afford direct views towards the neighbouring property at No. 4 Hartley Grove. Given the relative site levels, with the host property positioned at a higher elevation, this relationship would result in an unacceptable degree of overlooking and loss of privacy to the neighbouring property's rear elevation and private amenity space. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP3 & KDP6 of the House Extensions & Alterations SPD and Chapter 12 of the National Planning Policy Framework.

3. By reason of its increased width, elevated position and close proximity (approximately 10 metres), the proposed extension would create a more direct and built up relationship with No. 46 Hartley Street. The inclusion of habitable room windows at both ground and first floor levels facing towards this neighbouring property would result in harmful overlooking. Furthermore, the scale and massing of the extension would give rise to an overbearing and dominating impact, to the detriment of the residential amenity of the occupiers of No. 46. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP3 & 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 plan	D01-A	1135672	08/05/2026
Proposed & existing plans	D02-A	1135670	08/05/2026
Climate change statement	-	1135671	08/05/2026

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 proposals raise concerns in terms of the incongruous size and appearance of the rear dormer and the potential for overlooking of the neighbouring property to the side. Amended plans have not been sought.

Report Dated 23/06/2026