

**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:	2026/62/91390/W
Site Address:	259, New Hey Road, Oakes, Huddersfield, HD3 4GH
Description:	Erection of two storey side extension
Recommending Officer:	Jennifer Booth

DECISION - Refuse

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 16-Jul-2026

OFFICER REPORT

Site Description

259 New Hey Road is a semi-detached property of render construction which has undergone roof alterations from a hip to a gable with a rear dormer and roof lights. The property also has a single storey extension to the side. The property is two storey appearance to the front and three storeys to the rear. The property has an open drive to the front and an enclosed garden to the rear.

The property is located on a residential road with a mix of house types surrounding.

Description of Proposal

The application is seeking planning permission for a two storey side extension.

The two storey side extension would project 3m from the original side wall of the dwelling and would extend the depth of the property with a hipped roof form. The walls would be constructed using block work and render with tiles for the roof covering.

Relevant Planning History

2017/93318 – Erection of two storey side extension with basement floor under to rear and dormer window to rear – Approved

2025/90961 – Erection of two storey side extension with balcony to rear – Refused for the following reasons:

- 1. The proposed two-storey side extension, by virtue of its design including a minimal set-back and hipped roof form, would result in an incongruous addition that is out of character with the host property. The design fails to respect the architectural integrity of the dwelling and would have a detrimental impact on the visual amenity of the 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 side extension would significantly increase the extent of walling close to the shared boundary with 261 New Hey Road. Given the neighbouring property's alignment and lower land level, the proposal would result in an unacceptable overbearing impact on habitable room windows, particularly those serving bedrooms on the front elevation. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, KDP6 of the House Extensions & Alterations SPD and Chapter 12 of the National Planning Policy Framework.*

3. *The proposed first-floor rear conservatory represents an incongruous addition to the host property. Its elevated position on stone pillars, combined with its scale and design, results in a visually intrusive form that is at odds with the architectural character of the existing building. The inclusion of a balcony intensifies the visual impact due to its elevated placement and structural support. While the rear location limits wider public visibility, the proposal fails to achieve a high standard of design and would detract from the character and appearance of both the host dwelling and its immediate 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.*

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 fail to comply with Policy in terms of appearance, disproportionate additions, lack of subservience, cumulative impact and overbearing impact on the adjoining property. Amended plans have not been sought.

Representations

The application was advertised by site notice, which expired on 20/06/2025

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.

Planning permission was refused last year. The current plans have removed the works to the rear. The proposals shall be assessed below.

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.

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.

The proposed two-storey side extension includes a hipped roof form and is designed with only a minimal set-back from the principal elevation. This lack of the required set-back, combined with the roof design, results in a form that is out of character with the existing dwelling and the surrounding street scene. Although materials are proposed to match the host property, the overall design is considered to be visually incongruous and unacceptable in terms of its impact on the visual amenity of the area.

A previous application was submitted, reference 2025/90961, for a two storey side extension with conservatory and balcony to rear elevation. The application was refused for three reasons, with reasons 1 and 2 being related to the two storey element of the proposal. Reason 1 was on the basis of the concerns outlined in the previous paragraph and this application under consideration has not addressed the reason and again does not comply with local plan policy and guidance.

Having taken the above into account, the proposed side extension would result in the formation of an incongruous feature given the design which would be out of character with the main house and would result in harm in terms of visual amenity of either the host dwelling or 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, 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 to the rear which could be affected by the works proposed.

Impact on 257 New Hey Road

The proposed two-storey side extension is located on the opposite side of the host property from the adjoining dwelling to the east and, as such, would not result in any adverse impact on residential amenity for that neighbour.

With regards to the impact on the adjoining 257 New Hey Road, 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 261 New Hey Road

The proposed side extension would increase the extent of walling close to the shared boundary with the adjacent dwelling. The neighbouring property aligns with the rear corner of the host dwelling and is situated at a lower land level, with habitable room windows—specifically bedrooms—on the front elevation that would be affected. Given the topography and the spatial relationship between the properties, the side extension is considered to result in a significant overbearing impact on the neighbouring amenity.

As noted above, the two storey element of a previous planning application was refused. Reason 2 was on the basis of the concerns outlined in the previous paragraph and this application under consideration has not addressed the reason. Therefore, the proposal still does not comply with local plan policy and guidance.

With regards to the impact on the adjacent 261 New Hey Road, 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 326 New Hey Road

The property on the opposite side of the road is situated some 29m from the host property with the road between the dwellings. Given the separation between the dwellings, the works proposed would result in no overlooking, overshadowing or overbearing.

With regards to the impact on the neighbouring 326 New Hey Road, 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 would result in adverse impacts upon the residential amenity of the neighbouring occupants, thereby failing to comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principle 5 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

Proposed conditions

None as the recommendation is for refusal.

Conclusion:

This application to erect a two storey side extension at 259 New Hey 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 two-storey side extension, by virtue of its minimal set-back and hipped roof form, would result in an incongruous addition that is out of character with the host property. The design fails to respect the architectural integrity of the dwelling and would have a detrimental impact on the visual amenity of the 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 side extension would significantly increase the extent of walling close to the shared boundary with 261 New Hey Road. Given the neighbouring property's alignment and lower land level, the proposal would result in an unacceptable overbearing impact on habitable room windows, particularly those serving bedrooms on the front elevation. To permit the proposals would be contrary to Policy LP24 of the Kirklees Local Plan, 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: 2026/91390

Officer Recommendation: Approve

Conditions and Reasons

Officer Recommendation: Refuse

Reasons for refusal

1. The proposed two-storey side extension, by virtue of its minimal set-back and hipped roof form, would result in an incongruous addition that is out of character with the host property. The design fails to respect the architectural integrity of the dwelling and would have a detrimental impact on the visual amenity of the 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.
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Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Location Plan, Existing Site Plan, Elevations and Floor Plans	-	1141323	21/05/2026
Proposed Site Plan, Elevations and Floor Plans	01	1141322	21/05/2026
Climate Change Statement	-	1141324	21/05/2026

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 failure to comply with Policy in terms of appearance, disproportionate additions, lack of subservience, cumulative impact and overbearing impact on the adjoining property. Amended plans have not been sought due to the plans not addressing the previously refused application and the principle matters of the concerns.

13/07/2026

Report Dated