

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:	2026/62/91855/E
Site Address:	12, Birkdale Road, Dewsbury, WF13 4HH
Description:	Demolition of existing rear extension and erection of single storey rear extension (within a Conservation Area)
Recommending Officer:	Ellen Gilbert

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 08-Sep-2026

THE SITE

The application concerns 12 Birkdale Road, Dewsbury, WF13 4HH and is located within Northfields Conservation Area. The application property comprises a substantial two-and-a-half storey semi-detached dwelling of traditional stone construction beneath a pitched slate roof. The building displays Victorian architectural characteristics, including dressed stone window surrounds, a projecting ground-floor bay window to the principal elevation, and decorative stone detailing around the entrance.

The principal elevation fronts the highway and is enclosed by a low stone wall and mature hedge. A hard-surfaced driveway runs along the side elevation providing off-street parking and access to the rear of the property which features a large garden with a patio to the rear façade, sloping downwards into an area of soft landscaping. The rear of the dwelling features a small wooden extension, single storey in height with a flat roof which serves as a small porch leading into the ground floor of the property.

The property is situated within an established residential area characterised by large stone-built dwellings of similar age, scale and appearance.

THE PROPOSAL

The applicant is seeking planning permission for the demolition of existing rear extension and erection of single storey rear extension (within a Conservation Area). The extension will feature a lean-to pitched roof with grey slate tiles and ashlar stone parapet coping. The proposed will be constructed out of coursed natural stone to match the host dwelling and in terms of openings, the extension will also feature 7 windows to feature ashlar stone surrounds, will retain the existing position of the doorway.

The proposed extension will measure approximately 3m in width, 4m in length and 4m in height from the ground to the highest point of the roof.

PLANNING HISTORY

There is no planning history for the site which is considered relevant to the current proposal.

PUBLICITY & REPRESENTATIONS

The application has been publicised in accordance with Councils adopted Development Management Charter which incorporates the legislative publicity requirements of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

As such, this application has been publicised via site notice and a press notice as affecting a Conservation Area, which ended on the 13th of August 2026. No representations were received.

CONSULTATIONS

KC Conservation and Design: No objections, subject to the imposition of conditions.

The response of the above listed consultee is discussed in more depth in the 'Assessment' section of this report.

ALLOCATION & POLICIES

The site is located within the Northfields Conservation Area in the adopted Kirklees Local Plan (adopted 2019).

The site also falls within a Bat Alert area and an area where Great Crested Newts have been identified.

Local guidance and policy are provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP24 Design
- LP30 Biodiversity
- LP35 Historic Environment

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published August 2026, 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. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

- Chapter3 Decision Making Policies
- Chapter4 Achieving Sustainable Development
- Chapter5 Meeting the challenge of climate change

- Chapter14 Achieving well designed places
- Chapter19 Conserving and enhancing the natural environment
- Chapter20 Conserving and enhancing the historic environment

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas.

ASSESSMENT

1 – Principle of development:

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 chapter 4 of the National Planning Policy Framework. The objectives of the policies in chapter 4 are to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements. For proposals within settlements policy S4 sets out development should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, it can be stated that the principle of development is acceptable subject to the assessment of impacts on visual and residential amenity, the impact on the Conservation Area, as well as other matters which are discussed as follows and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact on character and appearance of the area

Policy LP24 of Kirklees Local Plan seeks to ensure development is of a suitable design. Chapter 14 of the NPPF sets out the objective to promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes.

Key Design Principles 1 and 2 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained. The SPD incorporates a comply or justify principle insofar as where a scheme does not comply with the recommendations of the SPD is there relevant justification present.

Policy HE9 of the NPPF relates to Conservation Areas and states proposals within or affecting the significance of conservation areas should retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible and consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development. In addition, Policy HE7 relates to non-designated heritage assets and confirms proposals which would have a positive effect on a designated heritage asset should be supported and where a development proposal would harm the significance of a non-designated heritage asset, this should be weighed against the benefits of the proposal and a balanced judgement made, having regard to the scale of any harm or loss and the significance of the non-designated heritage asset

Paragraphs 5.1, 5.2 and 5.6 of the House Extensions & Alterations SPD is of relevance here, stating that single storey rear extensions should be in keeping with the original house, retain an adequate amount of garden and use appropriate materials which match or are in similar appearance to the original house. In the case of this application, the subject of this report, the proposed replaces a painted wooden structure which heavily contrasts with the stonework and Victorian architectural character of the host dwelling. The proposed would be constructed using natural stone to match the existing and grey slate tiles; the use of which will be made acceptable through the granting of conditions. Ashlar coping window surrounds are also complimentary in character, drawing upon the heavy stonework which characterises the property and surrounding dwellings.

Given the size and scale of the development compared with the host dwelling, ample garden space is retained, and the visual impact of the extension is entirely contained at the rear of the dwelling. The proposed is therefore compliant with the standards set in Paragraph 5.8 of the SPD.

KC Conservation and Design were informally consulted and raised no objection subject to conditions. It is recommended that all external stonework and roofing slate match the existing materials in terms of type, colour and finish. Proposed windows and doors should be installed with a minimum recess of 150mm from

the external face of the wall to maintain the traditional appearance of the building. In addition, lime mortar pointing should be used and finished flush or slightly recessed to preserve the character and significance of the property. These requirements are to be secured by conditions.

It is also important to note that the proposed development will exist to improve accessibility for a resident residing at the property. As LP24 of the Kirklees Local Plan states, development should ensure accessible and inclusive design, where applicable, which meets the needs of a range of users. On balance, the proposed addition of amenity space in the form of a ground floor shower room, toilet and boot room is proportionate and compliant with the design principles set out in Chapter 4.8 of the House Extensions & Alterations SPD and with LP24 of the Local Plan.

It is therefore considered that in terms of heritage and visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, the adopted House Extensions and Alterations SPD, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Chapter 17 of the NPPF seeks to ensure an acceptable impact of development proposals in relation to residential amenity. Policy P3(2)(b) seeks to ensure developments do not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers

Key Design Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive / overbearing. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Paragraphs 5.2, 5.3 and 5.4 of the House Extensions & Alterations SPD are of relevance here, stating that rear extensions should not cause overlooking or loss of light. In the case of the proposed development, the size and scale do not give rise to any significant impacts. In addition, the applicant has proposed the use of obscure glazing to further ensure no loss of privacy. The existing boundary treatments, such as hedges and trees, in conjunction with the size of the garden area retained, act in this case as a visual and privacy buffer. The scale of the proposal is not considered to lead to significant levels of overshadowing or be unduly overbearing to neighbouring occupiers.

As stated in Section 2 of this report, the aims of the proposed development are to meet the accessibility needs of a resident at the property. The proposed inclusion of a ground-floor shower room, WC and boot room have a clear functional purpose and once approved, will have a significant positive impact on the residential amenity of the property.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the adopted House Extensions and Alterations SPD, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Other matters:

Ecology

Policies within chapter 19 of the National Planning Policy Framework are relevant and seek to influence the design and location of new development to help drive nature's recovery and contribute to wider environmental outcomes, safeguarding our most important habitats, species and landscapes and recognising the centrality of natural capital to delivering sustainable growth.

The Conservation of Habitats and Species Regulations 2017 protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat alert area and an area where Great Crested Newts have been identified, the proposals are relatively modest, and weight is afforded to the fact that bats are protected in law. It is considered that in this case an appropriate approach would be to draw the protection of bats to the attention of the applicant as an informative upon any grant of permission, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

Climate Change

Chapter 5 of the NPPF sets out policies relating to meeting the challenge of climate change. The objective of the policies in chapter 5 are details as being to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change. It does this by setting out policies to shape places in ways that contribute to radical reductions in greenhouse gas emissions and adapt to the full range of current and potential impacts of climate change, by minimising vulnerability and improving resilience.

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. 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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 5 of the National Planning Policy Framework.

6 – Representations:

None received

7 – Conclusion:

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. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2026/91855

Officer Recommendation: Approve

Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22, LP24 & LP30 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary

Planning Document and Policies within Chapters 3, 4, 5, 14, 15 and 17 of the National Planning Policy Framework.

3. Notwithstanding the plans submitted the external walls and roofing materials of the development hereby approved shall in all respects match those used in the construction of the existing building and be retained thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02, LP24 & LP35 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapters 14 & 19 of the National Planning Policy Framework.

4. Notwithstanding the details shown on the approved plans, all new windows and external doors shall be installed with a minimum recess of 150mm from the outer face of the wall and retained as such thereafter.

Reason: In the interests of preserving the character, appearance and significance of the building and its setting in accordance with Policies LP01, LP02 & LP24 and LP35 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapters 14 and 20 of the National Planning Policy Framework.

5. All repointing and pointing associated with the development shall be carried out using a lime-based mortar. The finished pointing shall be either flush or slightly recessed and shall be retained thereafter.

Reason: In the interests of preserving the character, appearance and significance of the building and its setting in accordance with Policies LP01, LP02 & LP24 and LP35 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapters 14 and 20 of the National Planning Policy Framework.

NOTE: Bats/ great crested newts and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Should they be encountered Natural England must be contacted and where a licence is required, in relation to their removal or relocation, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Proposed Elevations	25-012-PL23		26.06.2026
Existing Floor Plans	25-012-PL11		26.06.2026
Proposed Site Plan	25-012-PL21		26.06.2026
Proposed Floor Plans	25-012-PL22		26.06.2026
Site Location Plan	25-012-PL01		26.06.2026
Existing Site Plan	25-012-PL02		26.06.2026
Existing Elevations	25-012-PL12		26.06.2026

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 Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter and otherwise actively engaged with the applicant in dealing with the application. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Coal – Low