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:	**2025/62/92611/W**
Site Address:	Newsome Dental Practice, 9, Church Lane, Newsome, Huddersfield, HD4 6JE
Description:	External cladding to south elevation (retrospective)
Recommending Officer:	Morgan Braithwaite

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 28 July 2026

OFFICER REPORT

Site Description

Newsome Dental Practice, 9 Church Lane, Newsome, Huddersfield, HD4 6JE is a single storey, terraced commercial unit, operating as a dental practice. The front of the building comprises of signage, external door and two large windows.

This application seeks permission for the erection of dark grey cladding which now faces the practice. Other dwellings and properties within the street scene are faced in stone.

The area is mixed use, comprising Newsome Local Centre.

Description of Proposal

The applicant seeks retrospective permission for the erection of external cladding to the south (principal) elevation. This would extend the full height of the principal elevation.

The cladding is 150mm deep Grey Horizontal UPVC Cladding.

No other external works are proposed.

History of Negotiations/Amendments

Although the Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2015 encourages negotiation/engagement between Local Planning Authorities and agents/applicants, this is only within the scope of the application under consideration. As the issues relate to the visual appearance, including the materials, scale and design of the retrospective application, as well as the impact on the residential amenity of the neighbouring properties, no amount of amendments could overcome officers' concerns, and the application has been considered in its originally submitted form.

Relevant Planning History

No relevant planning history.

Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice.

Final publicity date expired: 17th November 2025

No representations were received as a result of the publicity.

Consultation Responses

No consultations have been requested as part of the planning process.

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. 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
- **LP2** – Place shaping
- **LP8** – Safeguarding Employment Land and Premises
- **LP 24** – Design

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 2 – Achieving Sustainable Development
- Chapter4 – Decision Making
- Chapter 12 – Achieving Well-Designed Places

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.

Legislation

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

Section 38(6) of the Planning 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.

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity
3) Impact on residential amenity

4) Impact on highway safety
5) Other matters
6) Representations
7) Conclusion

1) Principle of development

The site is without notation of 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 the property, Policy LP24 of the KLP is relevant, 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 planning considerations, including visual and residential amenity, as well as highway safety.

Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that: The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. 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”.

The application is for retrospective permission relating to the erection of cladding to an existing building.

In this case, the principle of development is considered unacceptable. The proposal shall be further assessed against all other material planning considerations, including visual and residential amenity as well as highways safety. These issues along with other policy considerations will be addressed below.

2) Impact on visual amenity

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

The application relates to retrospective permission for the erection of dark grey uPVC cladding to the host property, extending across the principal elevation. The application property forms part of a terrace of several other commercial units. Originally, all the units presented traditional shop fronts which have now been altered and modernised. The other units within the street scene have retained shop frontages to ground floor level, however, the application property has extended the cladding to first floor level also. By

installing cladding to the building of this style and extending to first floor level the cladding represents an incongruous feature within the street scene which detracts from the appearance of the terraced row. This element of the proposal does therefore not comply with Policy LP24 of the KLP or the aims of the NPPF.

In summary, the proposal, by virtue of the external cladding, would result in a significantly adverse impact to the visual amenity of the host property, terraced row and wider street scene. The proposal, therefore, fails to comply with Policy LP24 of the KLP (a) in terms of the form, scale and design as well as the aims of Chapter 12 of the NPPF.

3) Impact on residential amenity

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers.

In summary, the proposal would have no adverse impact upon the residential amenity of adjacent occupiers and would accord with Policy LP24 of the KLP.

4) Impact on highway safety

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and seeks to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The proposal sees no alterations to existing parking provision.

Therefore, the proposal would not represent any additional harm in terms of highway safety and as such, complies with Policy LP22 of the Kirklees Local Plan.

5) Other matters

Carbon Budget

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 pre-dates 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.

Bats

The property is located within a Bat Alert layer in the council's GIS system. Were the application to be approved, an informative note would be added to the decision notice advising of how to proceed should bats be encountered on site.

6) Representations

No representations were received as a result of site publicity. The proposal was advertised by site notice, with the public consultation period ending 17th November 2025.

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 Governments view of what sustainable development means in practice.

The application has been assessed against relevant policies in the development plan and other material considerations. 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: 2025/92611
Officer Recommendation: Refuse

Reasons for Refusal

1. The dark grey uPVC cladding to the principal elevation of the building would detract from the appearance of the row of terraced properties, and due to the prominent roadside location of the building, would form an incongruous feature within the street scene. To permit the proposal would be harmful to the visual amenity of the host property, terraced row and wider street scene, contrary to Policy LP24 of the Kirklees Local Plan, as well as the aims of Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Plan Reference	Web ID	Date Received
Location Plan	-	1106686	16/10/2025

Block Plan	-	1106684	16/010/2025
Grouped Plans and Elevations	25-051-01A General Arrangement Drawing	1107715	16/10/2025
Climate Change Statement	Climate-change-guidance	1106063	16/10/2025

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.
No alterations have been sought since submission as the application seeks permission for a retrospective proposal.

Report Dated: 27 July 2026