

**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:	2025/62/93147/E
Site Address:	Gomersal Cricket Club, Oxford Road, Gomersal, Cleckheaton, BD19 4RQ
Description:	Erection of 12m high protective net
Recommending Officer:	Edward Cheseldine

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.

Emma Thompson

AUTHORISED OFFICER

Date: 4-Feb-26

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Officer Report

2025/93147 - Gomersal Cricket Club, Oxford Road, Gomersal, Cleckheaton, BD19 4RQ

Site Description

The site relates to an area of land to the side of a cricket green. The wider site contains a cricket pitch, pavilion and club house. It is bounded by a high stone/brick wall from Oxford Road. Residential development encircles the site. It is allocated as Urban Green Space (UG356).

Proposal Description

The applicant is seeking permission for the erection of ball protection nets which will be 12 metres in height set along an area of 28.90 metres. This is in order to stop cricket balls from entering the property of 161 Oxford Road. There is currently a 2 metre high fence between this dwelling and the cricket pitch.

50mm netting will be used held up by 100 x 100 x 5mm steel squared posts finished in a green colour.

Amendments / Negotiations

None.

Public Representation

The application was advertised by a site notice which expired on 08 January 2026. As a result of the publicity no representations were received.

Relevant Planning History

2019/93759 - Erection of ball stop netting to boundary – Permission granted.

Consultation Responses

Consultation not required.

Policy & Legislation

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.

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 application site is located in an area of Urban Green Space the Kirklees Local Plan Allocations Plan Map.

Kirklees Local Plan policies and National Planning Policy Framework policies considered relevant to the proposal are as follows:

Kirklees Local Plan Policies:

- LP 1 – Presumption in favour of sustainable development
- LP 2 – Place shaping
- LP 21 – Highway safety and access
- LP 22 – Parking
- LP 24 – Design
- LP 30 – Biodiversity and geodiversity
- LP 50 – Sport and physical activities
- LP 52 – Protection and improvement of environmental quality
- LP 61 – Urban green space

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 2 – Achieving sustainable development
- Chapter 4 – Decision-Making
- Chapter 8 – Promoting healthy and safe communities
- Chapter 12 – Achieving Well Designed Places
- Chapter 14 – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

- 1) Principle of Development
- 2) Impact on Visual Amenity
- 3) Impact on Residential Amenity
- 4) Impact on Highway Safety
- 5) Environmental Matters
- 6) Conclusion

Principle of development

Urban Green Space & Sports

Chapter 8 of the NPPF seeks to ensure open spaces are free from built development and remain available as open spaces. The area of development is allocated as Urban Green Space under the Kirklees Local Plan (KLP) Allocation Map.

LP61 of the KLP sets out to protect communities from losing access to Urban Green Space.

Paragraph 19.45 of the KLP states, *in order to safeguard urban green space and avoid further deficiencies in provision, it is important that existing areas of valuable green space are retained and protected from development.*

Further to this, LP50 supports sport and physical activities and facilities.

Urban Green Spaces are open spaces, safeguarded for sport and recreational, such as the application site which is currently used as a cricket playing pitch. LP61 aims to support the growth of outdoor activities, amongst other things, in green spaces that are within public and private ownership. The application site is part of a sports playing pitch, the use of which shall not be changed as part of the proposal. LP61 aims to support development for outdoor activities within these spaces, providing that the overarching use of the activity is protected.

In this case nets will be erected to stop cricket balls going into residential areas. There are benefits from the proposal in terms of protecting neighbouring properties from cricket balls. Nets are associated with the playing of sport and facilitate its safe use and have previously been approved at the site. Development will not result in the loss of space or detract from the ability to play sport, therefore according with LP50 & LP61 of the Kirklees Local Plan and policies within Chapter 8 of the NPPF.

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 minor development, 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 material planning considerations, including visual and residential amenity, highway safety and environmental matters.

Impact on Visual Amenity

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places and beautiful places) whereby paragraph 131 provides a principal consideration concerning design which states:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

LP24 states that proposals should promote good design by ensuring:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

The site is a traditional cricket pitch with pavilion and club house. There is a high wall formed of stone and brick sections that obscure the site of the pitch from public viewpoints along Oxford Road. Along the southern aspect runs a wooden fence. Netting currently appears on the east and west boundary which is green in colour.

Netting will be erected on part of the southern boundary extending around part of the perimeter. The netting will appear permeable and due to the size of the holes can be seen through. Posts will be coloured green blending in with the pitch colour. The appearance of the netting is appropriate to its setting and is to be erected at a functional height for ball strike. There are benefits from the proposal in terms of protecting neighbouring properties from cricket balls which have been considered alongside the impact in terms of the height of the nets.

When considering this, on balance, the impact in terms of visual amenity is acceptable in terms of LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

Impact Residential Amenity

LP24 b), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. LP52 seeks, amongst other things, to ensure noise and artificial light emissions resulting from developments are acceptable.

Impact on 161 Oxford Road

Due to the nature of the nets, there will be no impact to privacy or a loss of light.

In terms of an overbearing impact, it is noted the nets will be 12 metres high and set along the boundary of this dwelling. It is recognised the design and materials as well as positioning of the nets allows for light and visibility and mitigates as far as is practicable. There are benefits from the proposal in terms of protecting neighbouring properties from cricket balls which have been considered alongside the impact to amenity of occupiers of 161 Oxford Road in terms of the height and position of the nets.

The proposal does not include lighting, however it is recognised lighting could be fixed to the netting, whilst this is not anticipated due to the potential of lighting impacted neighbouring residents, it is recommended a condition setting out the details are submitted to the planning authority, in the event it is sought.

When considering this, on balance, the impact in terms of residential amenity is acceptable in terms of LP24b of the Kirklees Local Plan and Chapter 12 of the NPPF.

Impact on Highway Safety

Policy LP21 states all proposal should ensure the safe and efficient flow of traffic within the development and on the surrounding highway Network.

Policy LP22 and the Kirklees Highways Design Guide Supplementary Planning Document are relevant insofar as they relate to parking provisions.

Development is for protection purposes. It is not considered there will be an increase in vehicular use from the erection of the nets.

Environmental Matters

BNG & Ecology

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The development is considered to benefit from the de minimis exemption as set out by The Biodiversity Net Gain Requirements (Exemptions) Regulations 2024.

Paragraphs 187, 193, 194 and 195 of Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which 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.

The proposal will result limited habitat reduction, additionally the cricket pitch area is of low habitat distinctiveness due to being a sports pitch, therefore a habitat uplift is not required in this case.

Carbon Budget

The proposal is a small scale development. 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.

Conclusion

This application for ball protection nets has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given its acceptability in terms of the principle of development and impact to visual amenity, residential amenity, highway safety and environmental matters, the proposal is acceptable.

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.

As set out above, 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

Conditions and Reasons

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.

1. 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 ensure the satisfactory appearance of the development on completion, and to accord with Policy LP1, LP2, LP21, LP22, LP24, LP30, LP50, LP52, LP61 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

2. Notwithstanding the submitted details this permission does not extend to the erection of external artificial lighting.

Reason: For the avoidance of doubt and in the interests of residential amenity and biodiversity and in accordance with Policies LP24, LP30 & LP35 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours, Mondays to Fridays 08.00 and 13.00hours, Saturdays, with no working Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Grouped plans	GCC-100	-	17 November 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 has, 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.

