

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:	2026/62/90926/W
Site Address:	3, Lower Rotcher, Rotcher Lane, Slaithwaite, Huddersfield, HD7 5AZ
Description:	Erection of two storey and first floor side extensions and formation of parking area with associated works
Recommending Officer:	Joanna Rednall

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 18-Aug-2026

The Site

3, Lower Rotcher is a two-storey detached dwelling located in Slaithwaite, Huddersfield. The property is constructed from stone and render with a hipped roof incorporated above finished in concrete tiles.

The building is elevated above the highway enclosed by a lawned garden to the side and rear and bounded by a railway line to the rear. Due to the sloping land levels across the site, the dwelling presents as two storeys when viewed from the front but reads as single-storey to the rear.

The surrounding street scene is varied in its built form, with the site positioned at the end of a row of dwellings that includes both detached and terraced properties. Despite this variation, the prevailing material palette is traditional, characterised predominantly by stone-built dwellings. A woodland area lies directly opposite the site.

The building is unallocated on the Kirklees Local Plan map, and is not Listed or within a Conservation Area. However, there is a Grade II Listed Building adjacent to the site.

The Proposal

The application is seeking planning permission for erection of two storey and first floor side extensions and formation of parking area with associated works.

The two-storey extension would project 5.3 m from the west-facing side elevation and extend 7.3 m in depth. When measured from the front elevation, the extension would reach 5.5 m to the eaves and 7 m to the ridge. It is designed with a hipped roof finished in concrete tiles, with external walls constructed from natural stone.

To the front elevation, one window is proposed at ground-floor level and one at first-floor level. No openings are proposed to the side elevation, while bi-folding doors are incorporated into the ground-floor rear elevation. Due to the sloping land levels across the site, the side extension reads as single-storey when viewed from the rear.

Adjacent to the two-storey extension, a 2.7 m-high stone-faced retaining wall is proposed to form an off-street parking area. This would require excavation of the existing bank to create a level surface for parking.

Above the single-storey ground-floor footprint, the first-floor extension would project 2.8 m from the side elevation and extend 7.8 m in depth. When measured from the front elevation, it would reach 5.5 m to the eaves and 6.6 m to the ridge. The front and rear elevations would be finished in natural stone, with the side elevation rendered to match the existing dwelling. Two windows are proposed to this extension, one to the front and one to the rear.

The development would provide a bedroom and en-suite at ground floor and a lounge and snug at first floor. The number of bedrooms would not increase as a result of the proposal; it would remain at three.

History of Negotiations

Minor amendments were made to the roof form of the first floor side extension.

The case officer also sought the applicant's agreement to the recommended conditions by email dated 26 June. The applicant's agent confirmed their agreement to the conditions by email dated 12 August.

Planning History

Relevant planning history for this site is summarised as follows:-

98/90885: Alterations to form pitched roof – Conditional full permission

Publicity & 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 and a press notice.

Final publicity date expired: 6 June 2026.

No representations were received as a result of the publicity. The amended plans were not re-publicised as these did not fundamentally change the development applied for.

Parish/ Town Council Comments

N/A.

Consultations

KC Conservation and Design: The development is not considered to lead to harm to the character or setting of the adjacent Listed Building. Officers therefore have no objection to the proposal.

KC Ecology: No objection subject to lighting, bat and bird informative.

KC Highway Development Management: No objection subject to conditions.

KC Highways Structures: No objection subject to conditions

Network Rail: No objection. The advise and informative provided by Network Rail can be viewed on the Council's website [here](#).

KC Trees: The proposed development would require several coniferous specimens to be removed to the frontage of the property. This would generally be acceptable due to the condition of these trees and them having a relatively low amenity value. None of the trees on this site are protected. With these trees removed the proposals look achievable whilst staying outside of the root protection area's of the higher value deciduous trees to the rear boundary. There would be no objection from a trees perspective and no need for further Arboricultural information.

Allocation & Policies

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).

Local guidance and policy is 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 (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP35 Historic Environment

LP52 Protection and improvement of environmental quality

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:

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- Chapter 3 Decision Making Policies
- Chapter 4 Achieving Sustainable Development
- Chapter 14 Achieving well designed places
- Chapter 15 Promoting sustainable transport
- Chapter 18 Managing flood risk and coastal change
- Chapter 19 Conserving and enhancing the natural environment
- Chapter 20 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 or appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of

preserving the building or its setting or any features of a special architectural or historic interest which it possesses’

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon visual amenity
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. 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”.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon visual amenity (including impact upon Listed Building)

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.

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.

Two storey side extension

Paragraph 5.19 of the House Extensions and Alterations SPD sets out that two-storey side extensions can have a significant effect on the character of the original house and the street. Adequate space between buildings should be retained to provide a sense of space which is important to the character of an area. It goes on, at paragraph 5.20, to state that two-storey side extensions should:

- not take up all or most of the space to the side of a house;
- maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property; and
- be set back at least 500mm from the front wall of the house.

The proposed side extension would retain a 1-metre separation from the side boundary, ensuring that it does not occupy the full width of the available space. This setback maintains a comfortable spatial relationship between the dwelling and the site boundaries, preventing any perception of overdevelopment. The retained external space also preserves an acceptable level of amenity for current and future occupants.

While the extension has a comparatively large width to the host, measuring approximately 5.3 m against the 7 m width of the host dwelling's principal elevation, the design incorporates features that ensure it remains visually

subordinate. The extension is set back by more than 500 mm from the main front elevation, and its ridge height is intentionally lowered below that of the existing roof. These measures reduce the extensions visual prominence and ensure the extension does not compete with the host building in terms of scale or massing. Accordingly, the massing and scale of the proposal are considered proportionate and acceptable, with no harmful impact on the character or appearance of the host property.

The proposed materials consisting of natural stone walling, concrete roof tiles, and PVC openings, match those of the existing dwelling, ensuring visual continuity. The window proportions replicate the established fenestration pattern on the front elevation. The extension also follows the existing roof form of the host property and is positioned away from the street frontage, reducing its visibility within the wider street scene. This design ensures that the extension integrates appropriately with the dwelling, and the materials will be secured via condition upon the grant of planning permission in the interests of visual amenity. As such, the design and appearance of the two storey side extension are considered acceptable in terms of visual amenity.

A 2.7 m-high stone-faced retaining wall is proposed adjacent to the two-storey extension to facilitate the creation of an off-street parking area. Forming this space would require excavation of the existing bank to provide a level surface, resulting in parking provision to the front and side of the dwelling.

While the works would introduce a harsher frontage than the existing arrangement, officers do not consider the change to result in significant harm to visual amenity. The scheme retains an area of soft landscaping to the east, which would help soften the appearance of the development. In addition, the retaining wall would be set back over 9 m from the highway, significantly reducing its visual prominence within the street scene.

For these reasons, the proposed retaining wall and associated parking area are considered to be acceptable in visual amenity terms.

First floor side extension

Section 5.21 of the Extensions SPD sets out *“spaces between houses, including driveways, are important in providing a sense of space, local character and attractive appearance of an area and should be retained. Two-storey and first floor side extensions can cause a negative impact on the street when used to close the gap between semi-detached or detached houses.”*

The first floor extension follows the ground floor footprint of the host. The host property is a detached dwelling, positioned adjacent to a two-storey detached dwelling to the east (No. 2). There is a notable difference in land levels, with the application site occupying a higher position to No.2. As a result, the proposed first-floor side extension would maintain an adequate sense of separation between the two dwellings. This prevents any perception of terracing and preserves the spacing that is characteristic of this row of development.

During the course of the application, the roof form has been amended from a flat roof to a double-hipped roof, set below the ridge line of the host dwelling. This revised design is considered subservient and avoids visual imbalance. The proposed render finish would correspond with the existing ground-floor outrigger, while the roofing materials would match those of the host property, ensuring the design of the extension is consistent with the host property. The materials will be secured via condition upon the grant of planning permission in the interests of visual amenity

For these reasons, the proposed first-floor side extension is considered to have an acceptable impact on visual amenity.

Impact upon Listed Building

LP35 of the Kirklees Local Plan requires that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets.

At paragraphs 214 – 216 the NPPF is clear, that where development leads to substantial harm, this is necessary to achieve substantial public benefits that outweigh that harm or, in the case of less than substantial harm this should be weight against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In this context, preservation means not harming the interest of the building itself, or the wider conservation area within which it is set.

KC Conservation and Design have been consulted and have raised no objections to the proposal. The extension would reflect the design and detailing of the existing ground-floor elevations, ensuring the development is in keeping with the character of the host. Furthermore, the development would

retain a separation distance of approximately 8 m to the side garage elevation of the Listed Building, thereby preserving the openness and spatial relationship that contributes to its setting.

Given this degree of separation and the sympathetic design approach officers are satisfied that the proposal would not harm the significance or setting of the Listed Building. In the context of LP35 and NPPF paragraphs 214–216, the scheme is therefore considered to preserve the character and appearance of the heritage asset and its wider setting. Accordingly, the proposal is concluded to be acceptable with regard to the aforementioned policies.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 and LP35 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:

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. 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.

The House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: *“extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”.*
- Principle 4 – that: *“extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook.”*
- Principle 5 – that: *“extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”.*
- Principle 6 – that: *“extensions and alterations should not unduly reduce the outlook from a neighbouring property.”*

The development is only considered to impact the neighbour to the east, 2 Lower Rotcher. It is considered to be a sufficient distance from other dwellings to not impact their amenity.

The submitted plans confirm that no additional openings are proposed in the east-facing elevation of the first-floor extension. The only windows serving the extension are located to the front and rear, where they would overlook areas already within the host property's own curtilage. Accordingly, officers are satisfied that the development would not give rise to any unacceptable impacts on privacy.

The extension would introduce additional height and massing adjacent to the shared boundary with No. 2, and the application site sits at a higher land level in relation to No.2. However, as confirmed during the site visit, the only opening on the west-facing elevation of No. 2 is the integral garage door, which does not serve a habitable room. The area most affected would be the driveway of No. 2. While some evening overshadowing may occur, this space does not constitute the primary amenity area. The main private garden of No. 2 is located to the rear, on higher ground, and would remain unaffected in terms of daylight, sunlight, and sense of enclosure / overbearing from the development.

Given the limited sensitivity of the affected area and the absence of harm to habitable rooms or principal amenity space, officers conclude that the proposal would not result in an overbearing relationship nor cause unacceptable overshadowing upon No.2.

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 – 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 Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

The proposed development would not increase the number of bedrooms on site, and it is considered the number of occupants within the dwelling would remain as existing.

KC Highways Development Management have been consulted during the course of this application and have provided the following comments:

“The site is likely to be dependent on motorised vehicles; although there are local facilities and services within walkable distances, including bus stops with infrequent services.

To further support sustainable travel cycle parking in an enclosed and secure storage facility is recommended in line with the Kirklees Highway Design Guide SPD. Additionally, for the installation of an electric vehicle charging point.

The proposal includes the creation of a new access from Rotcher Lane on removing the existing retaining wall and several trees and providing a new retaining wall after undertaking excavations. The new connection to the public road will require a separate permission from Highways including any relevant structural approval.

Within the site there is to be an area of hardstanding to accommodate off-street parking to serve the existing dwelling on completing the proposed extension.

There would be sufficient space to accommodate at least two cars in line with advice set out in the KHDG SPD for three bedroomed units and to meet policy LP22.

Hardstanding is to be in tarmac which is acceptable on it being permeable or surface water drainage will be needed to prevent run-off onto the highway.

Bin storage and collection arrangements are to be retained.

On construction, works within and adjacent the public road will be necessary requiring separate permissions from Highway via road licences or permits, such as for placement of equipment and materials, and road openings: Refer: <https://www.kirklees.gov.uk/beta/transport-roads-andparking/kirklees-council-permit-scheme.aspx>

The proposal does not raise significant issues for road safety or network functionality to meet policy LP21 with on-site car parking likely to be beneficial given the narrowness of Rotcher Lane.

The amount of traffic is expected to be similar to current use to be immaterial.

Accordingly, no objection is raised subject to a request for planning conditions and advisories.”

Taking the comments of KC Highways Development Management into account, subject to conditions, it is considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council’s Street Design Guide and chapter 15 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Chapter 19 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. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, 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.

KC Ecology have been consulted on the proposal and recommend informative notes relating to a lighting strategy, breeding bird informative and a bat informative. Therefore, subject to the inclusion of the recommended informative notes, it is considered the development would be in accordance with the aims of Chapter 19 of the NPPF and LP30 of the KLP.

Climate Change

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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

Trees

With regard to trees Policy LP33 of the Kirklees Local Plan is of relevance and states the following:-

‘The Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity. Proposals should normally retain any valuable or important trees where they make a contribution to public amenity’

KC Tree officers have been consulted on the application and provide the following comments:

“The proposed development would require several coniferous specimens to be removed to the frontage of the property. This would generally be acceptable due to the condition of these trees and them having a relatively low amenity value. None of the trees on this site are protected.

With these trees removed the proposals look achievable whilst staying outside of the root protection area’s of the higher value deciduous trees to the rear boundary.

There would be no objection from a trees perspective and no need for further Arboricultural information.”

Therefore, taking account of the above comments, the proposal is not considered to lead to a harmful impact upon trees, and the development is considered to accord with the aims of LP33 of the Kirklees Local Plan.

Land stability

The proposed works involve the excavation of the existing banking and the construction of a new retaining wall to create an off-road parking area. Highway Structures were therefore consulted on the application.

No objections to the development have been raised by Highway Structures. However, they have recommended a condition requiring the details of the proposed retaining wall to be submitted to and approved by the Local Planning Authority prior to the commencement of development. This condition is considered reasonable and necessary to ensure that the development is carried out safely, given the potential impact of the construction works on the stability of the site and potential impact on the highway. The general wording of the pre-commencement condition and the requirements relating to the retaining wall design have been agreed in writing with the applicant. Therefore, subject to the inclusion of this condition, the development would accord with Policies LP21 and LP53 of the Kirklees Local Plan and the guidance contained within Chapter 19 of the National Planning Policy Framework.

Adjacent railway

The site is bounded to the north-west by the Manchester Victoria and Huddersfield railway line, which is carried on an embankment elevated above the site. Network Rail has been consulted on the proposals and has raised no objection in principle to the development. However, they have identified several requirements that must be met.

Network Rail has significant concerns regarding any activities, particularly excavation or ground-disturbing works, that could lead to settlement, ground movement, disturbance, or potential failure of the railway embankment or associated structures. Given the nature and proximity of the proposed works, it is essential that the applicant engages with Network Rail's Asset Protection Team at the earliest opportunity to secure the necessary technical approvals and assurances. This engagement is required to ensure that the development can proceed safely and without adverse impact on the operational railway.

The applicant's attention is drawn to the notes and informatives provided by Network Rail, available on the Council's website, which offer detailed guidance relevant to the proposed works.

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: 2026/90926

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).

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 accord with Policies LP01, LP02, LP21, LP22, LP24, LP30, LP35 & LP52 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 the National Planning Policy Framework

2. The external walls of the two storey side extension hereby approved shall be stone which in all respects match those used in the construction of the existing building. The render to the first floor side extension shall be of a colour finish to match the host property. The materials of construction shall be thereafter retained.

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 Chapter 14 and 20 of the National Planning Policy Framework.

3. No external artificial lighting shall be erected within the site, unless and until details of size, location, orientation, lighting level and any associated fixing apparatus have first been submitted to and agreed in writing by the Local Planning Authority. The lighting shall be installed in

accordance with the approved details and maintained whilst ever it remains in situ.

Reason: In the interests of visual and residential amenity to accord with policy LP24, LP30 and LP52 of the Kirklees Local Plan and the policies contained within chapters 14 and 19 of the National Planning Policy Framework.

4. The means of access to and from the site shall be in accordance with the preliminary access design shown on the approved plan named 'Proposed Plans and Elevations JD 25 01 Rev 02B' and fully constructed and made operational prior to the development being brought into use and thereafter retained and maintained for the lifetime of the development.

Reason: In the interests of highway safety to accord with policy LP21 and LP22 of the Kirklees Local Plan and policies within Chapter 15 of the National Planning Policy Framework.

5. The dwelling shall not be occupied until all areas and associated features shown on the approved plans to be used by vehicles and pedestrians, including paths and parking areas have been laid out, surfaced and drained, such that loose materials and surface water does not discharge or transfer onto the adjacent highway, and shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of highway safety to accord with policy LP21 and LP22 of the Kirklees Local Plan and policies within Chapter 15 of the National Planning Policy Framework.

6. Development shall not commence until a scheme detailing the location and cross-sectional information together with the proposed design and construction details for all new retaining walls and building retaining walls adjacent to the existing highway including any modifications to the existing highway retaining wall supporting Rotcher Lane has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented prior to the development being brought into use and thereafter retained.

Reason: In the interests of highway safety to accord with policy LP21 of the Kirklees Local Plan and policies within Chapter 15 of the National Planning Policy Framework.

7. Development shall not commence until a scheme detailing the design of the proposed retaining wall adjacent to the highway has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented prior to the development

being brought into use and thereafter retained.

Reason: In the interests of highway safety and the protection of the and surrounding highway structures. This is a pre-commencement condition to ensure that approved development does not compromise the safety of all those using the site and existing highway network, in accordance with the requirements of Policies LP21 and LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

NOTE: In regard to Condition 8, the developer is advised that this may require the submission of an Approval In Principle (AIP).

NOTE: Bats 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. Where a licence is required to derogate from the Habitats Regulations, 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.

NOTE: All works should be timed to occur outside nesting bird season (typically March to August, inclusive). If this is not possible all potential bird nesting opportunities must be checked by a suitably experienced ecologist within 24 hours prior to works. If any active nests are found, the ecologist should advise on suitable species specific works exclusion zones. The exclusion zones should be regularly monitored by the ecologist and remain in place until the young have fledged the nest or the nests are otherwise deserted.

NOTE: The development hereby approved includes the creation of a new vehicular access. You are advised that before undertaking working in the highway you will require a Section 184 licence from the Highway Authority. These works shall be to the Highway Authority's specification and constructed to its satisfaction. Please contact 01484 414700 about obtaining this permission and approval of the construction specification.

NOTE: It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section for works near or abutting highway and any retaining structures. Contact Highways Structures Section on 01484 414700 who can advise further on this matter.

NOTE: The applicant's attention is drawn to the advice and informative notes provided by [Network Rail](#).

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan and Existing Site Plan, Elevations and Floor Plans	JD 25 01	01	10/04/2026
Proposed Site Plan, Elevations and Floor Plans	JD 25 01	02 B	03/06/2026
Application Form	-	-	10/04/2026
Climate Change Statement	-	-	10/04/2026

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 2024 and otherwise actively engaged with the applicant in dealing with the application. Minor amendments were made to the roof form of the first floor side extension. The case officer also sought the applicant's agreement to the recommended conditions by email dated 26 June. The applicant's agent confirmed their agreement to the conditions by email dated 12 August.

Coal – LOW

