

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:	2026/62/91032/W
Site Address:	20, Rowley Hill, Common End Lane, Lepton, Huddersfield, HD8 0JF
Description:	Erection of first floor side extension incorporating dormer window and associated alterations
Recommending Officer:	Faiza Bano

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: 11-Sep-2026

Officer Report – 2026/90752

Site Description

The application site relates to 20 Rowley Hill, Common End Lane, Lepton, Huddersfield, HD8 0JF, a detached residential dwelling situated within the established residential area of Lepton. The property occupies an elevated position on Rowley Hill and is constructed primarily of coursed natural stone with areas of render, beneath a stone slate roof, reflecting the traditional character and appearance of the surrounding built environment.

The dwelling currently presents as a two-storey property with an existing side projection and residential garden space surrounding the building. Windows and doors are finished in white uPVC, and the site benefits from existing off-street parking and direct access from Common End Lane. The surrounding area is characterised by a mix of detached and semi-detached dwellings of varying designs, ages and scales, set within predominantly residential surroundings.

Description of Proposal

The Scheme

The application seeks planning permission for the erection of a first-floor side extension incorporating a dormer window and associated internal alterations. The development would effectively reinstate a former second-storey element to the dwelling and would be constructed in coursed natural stone and render with an Indian stone slate roof and white uPVC windows and doors to match the existing property.

History of Negotiations / Amendments Received

Amended plans were requested to change the design of the rear dormer. These were received, which were considered to address officers initial concerns.

Relevant Planning History

No relevant planning history.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2024).

The application has been publicised as on the Council's website and by site notice. The expiry date of the publicity period was the 11/06/2026.

No representations received.

Consultation Responses

Kirkburton Parish Council – No comments.

Allocation and Policy

The site is unallocated within the Kirklees Local Plan (adopted 2019) and is located within a High Risk Coal Area.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP57 The extension, alteration or replacement of existing buildings

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.

- Chapter 4 Achieving sustainable development
- Chapter 5 Meeting the challenge of climate change
- Chapter 14 Achieving well-designed places

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)
House Extensions & Alterations SPD (adopted June 2021)
The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.
The Conservation of Habitats and Species Regulations 2017

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

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
1. Impact upon residential amenity
2. Impact upon highway safety
3. Climate Change
4. Other matters – e.g. trees/ecology (e.g. bats)
5. Representations
6. Conclusion

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 the NPPF.

National decision-making policy S3: Presumption in favour of sustainable development states that decisions on development proposals should apply a presumption in favour of sustainable development. This means: a. Policy S4 in this Framework should be applied when considering development proposals within settlements; b. Outside settlements, policy S5 should be applied; and c. In all locations, development proposals that accord with both

an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

In terms of extending and making alterations to a property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 14 of the NPPF, regarding design, 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.

These issues along with other policy considerations will be addressed below.

Considering the above policy, the principle of the development is considered to be acceptable.

2 – Impact on character and appearance of the area

Visual Amenity

Chapter 14 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’*.

Key Design Principles 1, 2, and 9 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.

The recommendations of Paragraphs 5.19 – 5.22 and 5.27 of the Councils House Extensions and Alterations SPD are considered relevant.

The extension would be positioned above the existing side projection and would align with the ridge height and general roof form of the existing two-storey element of the property. As a result, the proposal would appear as a logical continuation of the existing built form rather than an incongruous

addition. The extension would remain visually subordinate to the host dwelling, with the principal massing read as part of the original two-storey section of the house.

The design reflects the established character of the dwelling and surrounding area through the use of matching and complementary materials, comprising coursed natural stone and render walls, an Indian stone slate roof, and white uPVC windows and doors to match the existing property. These materials are considered appropriate and would ensure the extension integrates effectively with the host dwelling and wider streetscene.

The proposed dormers would be located on the rear roof slope where they would have limited visibility from the public realm. Given their position, scale and relationship with the existing roof form, they would not appear dominant or visually intrusive and would not detract from the appearance of the dwelling. Furthermore, the dormers would be read within the context of the enlarged roofscape and would preserve the overall character of the building.

Having regard to the scale, form, detailing and material finish of the proposed extension, it is considered that the development would respect the character and appearance of the host dwelling and the surrounding area. The proposal therefore complies with Chapter 14 of the NPPF, Policies LP1, LP2 and LP24 of the Kirklees Local Plan, together with Key Design Principles 1, 2 and 9 and the relevant recommendations of paragraphs 5.19 to 5.22 and 5.27 of the House Extensions and Alterations SPD. On balance, the proposal is acceptable in terms of visual amenity.

3. Impact on Residential Amenity

Sections B and C of LP24 states that alterations to existing buildings should:

“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers.”

Further to this, Chapter 12 L2(d)ii of the National Planning Policy Framework states that planning decisions should ensure that developments have acceptable living standards.

Key Design Principles 3, 4, 5, 6, and 7 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 recommendations of Paragraphs 5.19 – 5.22 and 5.27 of the Councils House Extensions and Alterations SPD are considered relevant.

In accordance with L2 National decision making policy, iii. Where the development would involve the use of residential curtilages, not occupy more than twice the footprint of all the existing buildings on the site, and, following development, would retain at least 50% of the non-developed area within the curtilage of the existing buildings³⁸; unless additional development can be accommodated without harm to the overall character of the area, and taking into account the availability of infrastructure and the importance of locating development in sustainable locations (in accordance with policy TR3).

To the east of the application property is 16 Rowley Hill – the adjoining dwelling. The proposed extension would be positioned on the opposite side of the shared boundary and would not project towards or reduce the separation distance to this neighbouring property's shared boundary line. Given this relationship, the development would not give rise to any unacceptable loss of light, outlook, privacy or overbearing impact upon the occupants of number 16.

To the west of the application site is the Rowley Hill Working Men's Club. The application dwelling and the club are separated by the existing club car park, providing a substantial degree of physical separation between the buildings. Given the intervening car park and the domestic nature of the proposed extension, the development would not adversely affect the operation of the club or the amenity enjoyed by its users.

The proposed dormers would be located within the rear roof slope and would principally afford views over the applicant's own rear garden and the wider area. The proposal does not introduce any unusual or unacceptable overlooking beyond that typically associated with first-floor residential accommodation. Furthermore, the extension is contained within the established built form of the property and would not result in a level of massing that would appear overbearing or oppressive when viewed from neighbouring land.

The proposal would not increase the footprint of the dwelling and would therefore have no adverse impact on the amount of undeveloped garden space retained within the curtilage. Adequate private amenity space would remain available to serve the dwelling following completion of the development.

Taking all matters into account, it is considered that the proposed development would not result in any significant harm to the residential amenity of neighbouring occupiers through overlooking, overshadowing, loss of outlook or overbearing impact. The proposal therefore accords with Policy LP24 of the Kirklees Local Plan, Chapter 12 of the NPPF and the relevant guidance contained within the House Extensions and Alterations SPD. The scheme is therefore acceptable in residential amenity terms.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 15 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.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

It should be noted that although nothing specific is detailed on the submitted plans, the site will retain adequate space for waste storage.

The number of bedrooms in the property will increase from two to three as a result of the development, and therefore the off-street parking requirement at the dwelling will not change. The current parking provision is therefore considered acceptable to remain as it will not be reduced in scale.

The development is set back adequately from the highway and as a result will have no significant impact upon highway safety.

It is therefore 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. 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 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. Other Matters

No other matters.

7. Representations

No representations have been received.

8. 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, the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

CONDITIONAL FULL PERMISSION

Decision Authorisation: Delegated Powers

Application Number: 2026/91032

Officer Recommendation: Conditional Full Permission

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 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 4, 5, 14, and 15 of the National Planning Policy Framework

2. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 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 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan, Existing Site Plans, Elevations and Floor Plans	20RH-STE-XX-ZZ-DR-A-20-000 - Combined Existing GA Plans and Elevations	-	14/04/2026
	20RH-STE-XX-ZZ-DR-A-20-000revP02		
Proposed Site Plan, Elevations and Floor Plans	AMENDED PLANS RECEIVED 11/8 - Ref: 20RH-STE-XX-	-	11/08/2026

	ZZ-DR-A-20-002revP04		
Application Form	-	-	14/04/2026
Climate Change Statement			14/04/2026
Design and Access Statement	20RH-STE-XX-RP-A-002-PL Design and Access Statement		14/04/2026

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. Amended were sought to amend the scale and design of the dormer with satisfactory plans being submitted to address officers concerns.

Report Dated:

03/09/2026