

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:	2026/62/91851/W
Site Address:	62, Clough Lea, Marsden, Huddersfield, HD7 6DN
Description:	Erection of single storey rear extension
Recommending Officer:	Joshua Merriman

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 03-Sep-2026

Officer Report – 2026/91851

Site Description

The application site refers to 62, Clough Lea, Marsden, Huddersfield, HD7 6DN, a detached two-storey property faced in stone, with a pitched concrete tiled gable roof, and uPVC windows and doors. The application property lies in a relatively uniform street scene, surrounded by properties of a similar size, scale, character, appearance, and age. Furthermore, the dwelling benefits from a hard-standing parking area to the front, as well as garden space to both the front and rear of the property.

Description of Proposal

The Scheme

The applicant is seeking permission for Erection of single storey rear extension.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

- Climate Change Statement

The following amended plans were submitted and accepted at the agent's request:

- 24/08/2026 – Proposed Layout and Elevations – HD7-02 RevA

History of Negotiations / Amendments Received

No amendments have been requested by Officers.

Relevant Planning History

The most relevant planning history relates to the following planning applications

99/91517 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (WITHIN A CONSERVATION AREA) – Conditional Full Permission.

2000/90912 - ERECTION OF 2 NO DETACHED DWELLINGS WITH INTEGRAL GARAGES, 1 PAIR OF SEMI-DETACHED AND 4 NO. TERRACED DWELLINGS – Section 106 Full Permission.

2000/93234 - ERECTION OF 2 NO. DETACHED DWELLINGS WITH INTEGRAL GARAGES (AMENDED HOUSE TYPE) (WITHIN A CONSERVATION AREA) – Conditional Full Permission.

2001/92442 - ERECTION OF CONSERVATORY – Conditional Full Permission.

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 affecting the setting of a conservation area, on the Council's website, by site notice and by press advertisement. The expiry date of the publicity period was 28/08/2026.

Consultation Responses

No consultations considered necessary.

Allocation and Policy

The site is allocated in the Marsden Conservation Area within the Kirklees Local Plan (adopted 2019). The site is also located within the Strategic Green Infrastructure Network, upon potentially contaminated land, within a bat alert layer, and twite buffer.

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
- LP30 Biodiversity and Geodiversity
- LP31 Strategic Green Infrastructure Network
- LP35 Historic Environment
- LP53 Contaminated and unstable land

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.

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 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 Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
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

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

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)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change

5. Other matters – e.g. trees/ecology (e.g. bats)
6. Representations
7. 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 1. 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.

The site is located within the Marsden Conservation Area on the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan 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 of the KLP sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

As the site is located within the Marsden Conservation Area; therefore Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 needs to be considered, which requires Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area.

LP35 states that:

‘Development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm’.

The dimensions of sustainable development will be considered throughout the proposal.

Given the above, it is considered that the proposal would constitute sustainable development, and will be assessed further in the following sections of this report.

2 – Impact on character and appearance of the area (including impact upon historic environment):

Visual Amenity

Section 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 5.1, 5.2, and 5.6 of the House Extensions and Alterations SPD are considered relevant to this application.

Historic Environment

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 20 of the National Planning Policy Framework.

Furthermore, LP35 states that: *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”*

The proposed rear extension is considered to appear sympathetic to the original building and local area, using matching and sympathetic materials

including stone, concrete roof tiles, and aluminum windows and doors. Although the extension is to use aluminium windows (including rooflights) rather than uPVC to match the existing building, as it is located to the rear of the house the development will not be highly visible from the street scene and is therefore considered acceptable.

The proposed rear extension will be entirely set behind the original building, not projecting beyond the sides, and is considered to be subservient to the existing building, respecting the original house and garden regarding size and scale.

Therefore, the proposed development is considered to comply with Policies LP1, LP2 and LP24 of the Kirklees Local Plan, Principles 1, 2, and 9 of the House Extensions and Alterations SPD, and Policies within Chapters 14 and 20 of the National Planning Policy Framework.

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 5.1, 5.2, and 5.6 of the House Extensions and Alterations SPD are considered relevant to this application.

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).*

The rear extension is of a small enough scale to ensure 50% of the rear garden space, and total space around the house, will be retained, and the current external access to the rear garden will be retained. The extension will also not exceed a length of 3m, height of 4m, and will retain a gap of at least 1m to all surrounding property boundaries.

Furthermore, given the limited scale of the extension and adequate spacing between the development and neighbouring properties, it is considered that there will be no significant impact on neighbours by way of overshadowing, overbearing, impact on light, outlook, or impact upon privacy.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, Key Principles 3, 4, 5, 6, and 7 of the House Extensions and Alterations SPD, and Policies within Chapter 12 of the National Planning Policy Framework.

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 not increase as a result of the development, therefore the off-street parking requirement at the dwelling will not change. The current parking provision is therefore considered acceptable to remain.

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

Impact upon Ecology

Chapter 19 of the National Planning Policy Framework is 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 roosting area and twite buffer, the proposals are relatively modest, and in this case would not impact upon the existing roof space which has the potential for providing a roost for bats and twites. Therefore, it is considered unlikely that the proposals would have a significant impact on the bat or twite populations. An informative would be included making the applicant aware that if bats or twites 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. Subject to informative the proposal is considered to be acceptable in this regard.

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
PERMISSION**

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2026/91851

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.

3. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required.

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation

Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, no part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: So as to protect future occupants of the development from any potential land contamination and to accord with Policy LP53 of the Kirklees Local Plan and Paragraphs 196 and 197 of Chapter 19 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 42 of The Conservation of Habitats and Species Regulations 2017. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

NOTE: The applicant is advised that under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2018, the developer is required to take account of the timing of works in relation to the bird breeding season. An inspection to check for the presence of nesting birds is advised if demolition and/or site/vegetation clearance works are likely to take place during the bird breeding season (1st March to 31st August inclusive). If twites are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	09/07/2026
Block Plan	03	-	09/07/2026
Proposed Site/Block Layout	03	-	09/07/2026
Existing Plans and Elevations	01	-	09/07/2026
Proposed Plans and Elevations	02	A	24/08/2026
Application Forms	-	-	09/07/2026
Climate Change Statement	-	-	09/07/2026

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

01/09/2026