

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:	2026/62/92336/W
Site Address:	24, Kemps Way, Hepworth, Holmfirth, HD9 1HZ
Description:	Erection of first floor extension over existing garage, including alterations and enlargements to existing dormers, rendering and cladding of existing elevations and associated works
Recommending Officer:	Laura Yeadon

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.

Danielle Cooper

AUTHORISED OFFICER

Date: 27-Oct-2026

Officer Report

[Weblink](#)

Site Description

24 Kemps Way is detached dormer bungalow located within land without notation within the Kirklees Local Plan. The property sits at the head of a cul-de-sac adjacent to the Hepworth Conservation Area and the Church of the Holy Trinity which is a Grade II listed building. The property itself is set within an elevated position, set up from the roadside due to topography. The property is constructed from stone and white render with concrete tiles for the roof and timber clad dormers to the front and rear. There is an attached flat roofed garage to the side of the property, which is accessed via a driveway, Amenity space for the property comprises of a sloped garden to the front and a lawned garden to the rear.

Surrounding the property is an area of land to the north which is a 'mixed use' allocation within the Kirklees Local plan, residential properties within Kemps Way which is comprised of detached dwellings with varying designs which are to the north east a south and to the west is the listed church and grounds.

Description of Proposal

The application is for the erection of a first-floor extension over the existing garage, including alterations and enlargements to the existing dormers, rendering and cladding of the existing elevations and associated works.

Extension over garage

It is proposed that a first-floor extension would be constructed above the existing garage which would lie flush and be a continuation of the existing garage elevations. The roof line of the extension would be a continuation of the existing roofline. Gable features would be introduced to both the front and rear elevations which would have eaves heights of 1 metre above the existing eaves. The walls of the extension would be finished with a white render with the roof finished in double roman concrete tiles. Openings would be formed within the front and rear gables with no openings proposed within the side elevation at first floor level.

Alterations and extensions to dormers

To the front of the property, the existing dormer would be reclad in a dark grey/black cladding with the height and projection of the dormer as existing. It is proposed that the dormer would be increased slight in width to tie into the proposed front gable.

The rear dormer would also be extended to tie in with the proposed gable. The existing and proposed extension to the dormer would be a continuation of the existing dormer and would be clad/reclad to match the existing and proposed front dormer.

Rendering and cladding and associated works

It is proposed that the first-floor extension would be white rendered, the dormers and the extensions clad in a dark grey/black composite. The existing openings within the first floor of the property would be replaced with black aluminium frames and the existing chimney stack to the front of the property would be finished with a white render.

History of negotiations/amendments received

No negotiations have taken place with the applicant/agent due to the application being acceptable in its submitted format.

Relevant Planning History

None

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via site notice.

Final publicity date expired 1st October 2026

Holme Valley Parish Council – no comments received

Consultation Responses

None required

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019) and Holme Valley Neighbourhood Development Plan.

The site is without notation on the Kirklees Local Plan.

The site also falls within the Holme Valley Neighbourhood Development Plan and is within an associated landscape character area, (ref: LCA7 River Holme Wooded Valley).

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways safety
- **LP 22** - Parking
- **LP 24** – Design
- **LP 30** - Biodiversity and geodiversity
- **LP 35** – Historic environment
- **LP 53** - Contaminated and unstable land

Neighbourhood Development Plans:

- Holme Valley Neighbourhood Development Plan (2020-2031)

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

- Policy 1 – Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 3 – Conserving and Enhancing Local Heritage Assets
- Policy 12 – Promoting Sustainability
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

The application site is within Landscape Character Area 7, River Holme Wooded Valley.

The key landscape characteristic of the area are:

- Glimpsed views towards the wider landscape through gaps between built form.
- Views across the wooded valley floor from elevated vantage points such as from Christ Church New Mill and Holy Trinity Church Hepworth.
- Stone boundary walls are common features.
- A network of Public Rights of Way (PRoW) crosses the landscape including a section of the Barnsley Boundary Walk, the Kirklees Way and the Holme Valley Circular Walk.

The key built characteristic of the area are:

- Settlements characterised by a close association between built form and landscape.
- Industrial heritage features such as weirs and mill buildings.
- Mounds and hollows, which are the remains of shallow tunnels created for coal mining, as well as piles of shale material and the remains of

plateways (flat stones laid across fields to assist with vehicle movement), are also found across the moorland and fields.

Supplementary Planning Documents:

- House Extensions and Alterations SPD

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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 3 – Decision Making Policies
- Chapter 4 – Achieving Sustainable Development
- Chapter 14 – Achieving well designed places
- Chapter 17 – Pollution, public protection and security
- Chapter 19 – Conserving and enhancing the natural environment
- Chapter 20 – Conserving and enhancing the historic environment

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

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity and Conservation Area/ Listed Building
- 2) Impact on residential amenity
- 3) Impact on 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 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

In terms of extending and making alterations to a property Policy LP24 of the Kirklees Local Plan will be used to assess, in conjunction with Chapter 14 of the National Planning Policy Framework regarding design, including the adopted Kirklees Supplementary Planning Document on House Extensions (SPD).

Within the adopted SPD, Key Design Principles 1 and 2 are relevant to the consideration of the principle of the development & visual amenity and are considered within the following report. These policies state the following:

- Principle 1 – that “extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area and the street scene.”
- Principle 2 – that “extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.”

With specific regard to the House Extensions and Alterations SPD the key design principles for consideration are:

- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 9: Construction materials
- Key design principle 12: Natural environment
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

With specific regard to the proposed development the SPD states that in terms of first floor side extensions and dormers, the SPD states:

Two storey and first floor side extensions:

Page 30 of the SPD details the requirements of two storey and first floor side extensions and states that these should:

- Ideally be visually smaller in relation to the original house'
- Be set back at least 500mm from the front of the original house to provide a vertical break from the roof plane and for the lowering of the ridgeline from the original house;
- Have a roof design that follows the form of the existing roof; and
- Retains a gap of at least 1 metre to boundary walls to avoid a terracing effect and to retain rear access to gardens.

Dormers

Section 5.4 of the SPD refers to dormer windows and roof extensions and states that to assess whether a dormer is appropriate to the front elevation, consideration should be given to the surrounding buildings within the street. It goes on to state that dormer windows should:

- Relate to the appearance of the house and existing roof;
- Be design in style and materials similar to the appearance of the existing house and roof;
- Not dominate the roof or project above the ridge of the house;
- Be set below the ridgeline of the existing roof and within the roof plane; and
- Be aligned with existing dormer windows on neighbouring properties in the same roof plane where relevant.

The above listed policies and guidance within the SPD are taken into account within sections below of this report.

2 – Impact on visual amenity and Conservation Area and Listed Building:

Policy 1 of the Holme Valley Neighbourhood Development Plan (HVNDP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA 7, detailed in the 'Policies' section of this report)

Policy 2 of the HVNDP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting.

Policy LP24 of Kirklees Local Plan and Chapter 14 of the NPPF set out that development should be of an acceptable design. 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.

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. This is echoed within policy LP35 of the Kirklees Local Plan and Chapter 20 of the NPPF.

The objective of Chapter 20 of the NPPF is set out as being to conserve and enhance the historic environment. Heritage assets are an irreplaceable resource, and range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Policy HE5(1) of the NPPF details that development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance. HE2 details that the assessment will need to identify if the proposal will have a positive effect, no effect, result in harm and whether this would be less than substantial or substantial or whether the proposal would cause the total loss of the significance. HE5(4) confirms that decision-makers should be satisfied that assessments accurately reflect the effects on heritage assets caused by development proposals

The sits adjacent to the Hepworth Conservation Area and a Grade II listed building. A Heritage Impact Assessment has been submitted which identifies the adjacent heritage asset thus complying with the requirements of Policy HE2 of the NPPF.

The footprint of the building would not be increased with the bulk and massing as a result of the proposed extensions set away from the conservation area and listed building boundaries. The street scene is comprised of a variety of house types set on varying land levels and as the works would include recladding the existing as well as the extended dormer windows, it is not considered that the works would result in the loss of significance to the identified heritage assets. This is mirrored within the 'conclusion' section of the submitted Heritage Statement which states that the proposal would not be detrimental to the adjacent conservation area and will enhance some of aspects of the existing

site which are currently under utilised and would provide an attractive addition to the conservation area without detracting from the existing street scene.

Taking all the above into consideration it is therefore considered that the works would be acceptable in terms of heritage.

In terms of visual amenity in general, there are no proposed additions to the footprint of the building to consider. The first floor extension would sit above the existing elevations of the garage and gable features would be formed within the front and rear elevations of the extension. Whilst these features would introduce front and rear facing gables, the adjacent neighbouring properties are designed with a front gables and therefore, the features would not introduce this form of design to the street scene. The dormers would be extended in width to tie in with both the front and rear gables and would be reclad in composite cladding which would improve the visual appearance of the dwelling. The facing property, No. 15 also hosts a full width composite clad dormer to the front elevation.

It is therefore considered that the extensions and upgrade works to the dwelling are considered to relate satisfactorily to the host building and have an acceptable impact on visual amenity, in accordance with the requirements of policies LP1, LP2 & LP24 of the Kirklees Local Plan, having regard to principles 1, 2, 7 and 9 of the Supplementary Planning Document on House Extensions (SPD) and policies within Chapter 12 of the National Planning Policy Framework as well as the adjacent heritage assets.

3 – Impact on residential amenity:

Policy 2 of the HVNDP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

Policy LP24 of the Kirklees Local Plan and Chapter 17 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.

In terms of being overbearing or causing overshadowing, the property most impacted on is the adjacent property, No. 22. Whilst this property is set on a lower ground level, there are no openings within the side elevation of this dwelling which would be impacted on as a result of the works. The neighbouring property as a garden area which sits to the north of the proposed location of the first floor extension and therefore, it is not considered that the works would cause significant harm in this case.

With regards to overlooking, there are no properties beyond the rear boundary that would suffer harm from overlooking and to the front elevation the existing separation distances between the property and neighbouring dwellings would remain and would not be reduced. There are no proposed openings within the side elevation of the extension that would increase any harm from overlooking.

Therefore, it is considered that the proposed extensions are acceptable in terms of residential amenity. It is considered there will be no significant impact on neighbouring properties, in terms of overshadowing, overbearing or overlooking, and the proposal would accord with the aims of policies LP1, LP2 & LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the Council's adopted House Extensions & Alterations Supplementary Planning Document as well as policies within chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan 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.

In this case the existing garage and driveway provision would be retained. The SPD states that 4+ bedroom properties should provide 3 no. parking spaces which is considered to be achievable within the site boundaries.

It is also noted that there is sufficient space within the site boundary to accommodate bin storage and therefore would comply with Key Design Principle 16 of the SPD.

5 – Other matters:

Climate Change - Chapter 5 of the NPPF sets out policies relating to meeting the challenge of climate change. The objective of the policies in chapter 5 are details as being to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change. It does this by setting out policies to shape places in ways that contribute to radical reductions in greenhouse gas emissions and adapt to the full range of current and potential impacts of climate change, by minimising vulnerability and improving resilience.

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.

A Climate Change Statement has been submitted which details the proposed mitigation measures.

Biodiversity – Policy N2 of 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.

Principle 12 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should consider how they might contribute towards the enhancement of the natural environment and biodiversity.

The application site is within a ‘Bat Alert’ layer on the Council’s GIS system. Whilst formal comments have not been requested from an Ecology & Biodiversity Officer it is considered that a Bat Survey was not required in this instance. This is due to the fact that albeit the extension will connect into the existing roof, the property in this case appears to be well sealed and maintained with little opportunity for bats.

However, as a cautionary measure, and to ensure accordance with the aims of Chapter 15 of the National Planning Policy Framework, a footnote shall be attached to the permission setting out that, should any bats be found using the building then works must cease and appropriate advice sought.

Coal legacy – The site is located within the Coal Authority’s “Development Low Risk Area”. There is no statutory requirement to consult the Coal Authority regarding development within the “Development Low Risk Area”, instead an informative note can be appended to the decision notice which constitutes the deemed consultation response. The application site falls within an area at low risk of ground movement as a result of past mining activities as determined by the Coal Authority. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority’s standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with Policy P2 of the National Planning Policy Framework.

6 – Representations:

None

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: 2026/92336

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 51 of the Planning and Compulsory Purchase Act 2004.

2. 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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP35 and LP53 of the Kirklees Local Plan, principles 1, 2, 3, 4, 5, 6, 7, 9, 12, 15, 16 and 17 of the Council's adopted Supplementary Planning Document on House Extensions and Alterations, Policies 1, 2, 3, 12 and 13 of the Holme Valley Neighbourhood Development Plan and to accord with Policies within Chapters 3, 4, 14, 17, 19 and 20 of the National Planning Policy Framework.

NOTE: The Council's GIS system indicates that the property is within a bat roost area and may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	384-26-PL03 Rev: A		20 th August 2026
Existing site layout, elevations and floor plans	384-26-PL01 Rev: B		20 th August 2026
Proposed site layout, elevations and floor plans	384-26-PL02 Rev: C		20 th August 2026
Heritage Statement	384-26-R1_A		20 th August 2026
Climate Change Statement	Appendix A		20 th August 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.

The Case Officer did not undertake any negotiations with the applicant due to the application being acceptable in its submitted format.

Report Dated: 20th October 2026

Coal – low