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:	**2026/62/92592/E**
Site Address:	80, Latham Lane, Gomersal, Cleckheaton, BD19 4AP
Description:	Erection of single storey side and rear extensions
Recommending Officer:	Ellen Gilbert

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.

John Holmes

AUTHORISED OFFICER

Date: 12-Nov-2026

THE SITE

The application relates to 80, Latham Lane, Gomersal, Cleckheaton, BD19 4AP, a substantial detached two-storey dwelling constructed in natural stone under a pitched concrete tiled roof. The principal elevation is characterised by traditional stone detailing, including stone mullioned windows and a projecting entrance porch. The front curtilage is comprised of an area of soft landscaping adjacent to an area of hardstanding, providing off-street parking for at least two cars.

The eastern elevation features a side extension with an adjoining double garage. The garage is constructed from matching natural stone with a pitched roof. To the rear of the property is a conservatory extension and private garden bordered by high mature hedges and trees.

The dwelling is set back from the highway and is situated within a residential area of similar houses in terms of size and curtilage.

THE PROPOSAL

The applicant is seeking planning permission for the erection of a single storey side and rear extension.

The side extension measures approximately 2.8m and has a height of approximately 4.3 m from the ground to the roofline and 2.8 m to the eaves. The extension will feature mullioned windows to the front and a Velux rooflight in the roofscape, whilst double doors to the rear will extend from the host-dwelling along the proposed to provide access and outlook into the rear curtilage.

The rear extension projects from the rear elevation of the detached garage by approximately 3.8 meters, providing additional internal amenity space. The extension builds on from the original structure and as such, has a width of 5.3m and features a gable end to mirror the original roofline. Mullioned windows will be located at the rear elevation overlooking the rear curtilage. In addition, the extension has an overall height of 4m.

Both the side and rear extensions will be constructed in matching stone.

PLANNING HISTORY

There relevant planning history is as follows:

- 2023/90924- Erection of two storey side extension, alterations and extensions to existing garage, rear single storey extension, alterations to external openings and erection of covered porch- Conditional Full Permission

PUBLICITY & REPRESENTATIONS

The application has been publicised in accordance with Councils adopted Development Management Charter which incorporates the legislative publicity requirements of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

As such, this application has been publicised via site notice which expired on the 18th of October 2026. No representations were received.

CONSULTATIONS

No statutory consultations were requested for this application.

ALLOCATION & POLICIES

The site is unallocated in the adopted Kirklees Local Plan. It is situated in a bat alert zone.

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

LP1 Achieving Sustainable Development
LP2 Place Shaping
LP21 Highway Safety
LP22 Parking Provision
LP24 Design
LP30 Biodiversity and Geodiversity

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: -

Chapter3 Decision Making Policies
Chapter4 Achieving Sustainable Development
Chapter5 Meeting the challenge of climate change
Chapter14 Achieving well designed places
Chapter15 Promoting sustainable transport
Chapter19 Conserving and enhancing the natural 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

The Conservation of Habitats and Species Regulations 2017

ASSESSMENT

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 chapter 4 of the National Planning Policy Framework. The objectives of the policies in chapter 4 are to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements. For proposals within settlements policy S4 sets out development should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

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 extending the existing dwelling is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact on character and appearance of the area

Policy LP24 of Kirklees Local Plan seeks to ensure development is of a suitable design. 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. The SPD incorporates a comply or justify principle insofar as where a scheme does not comply with the recommendations of the SPD is there relevant justification present.

The side extension would have no significantly different appearance upon the existing arrangement of the house in terms of footprint and the provision and retention of private outdoor amenity space. Regarding visual impact, paragraphs 5.15 and 5.16 of the House Extensions and Alterations SPD set out that side extensions should reflect the design of the original buildings in terms of roof style, pitch materials and detailing whilst also maintaining the quality of the environment for neighbours. In this case, the roof of the extension will be raised to meet and extend from the ridgeline of the garage and will be gabled, therefore mirroring the host dwelling and, on balance, creating a more linear and cohesive visual appearance than the existing side structure, which is much lower than both the dwelling and garage and features a different roof form.

Overall, It is considered that the scale of the side element of the extension would be appropriate for the scale of the existing dwelling and is therefore considered acceptable.

Paragraphs 5.5 and 5.6 of the House Extensions and Alterations SPD provide guidance on the provision of rear extensions, stating that consideration should be given to designs which consider neighbouring amenity and are in keeping with the scale and style of the original house. In this case, the rear extension features a gable end which mirrors the roof forms of the original structure and host dwelling. Fenestration is limited to the rear elevation, looking out into the garden.

The character of the host property is such that a condition is recommended to be included which requires that materials match (in all respects) or that in the event they do not then suitable alternative materials are submitted to, and agreed in writing by, the LPA.

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

Chapter 17 of the NPPF seeks to ensure an acceptable impact of development proposals in relation to residential amenity. Policy P3(2)(b) seeks to ensure developments do not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and 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. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The size of the rear extension would cover some of the private amenity space of the application property, however sufficient amenity space would be retained if the proposal was to receive permission. Therefore, the proposal would be acceptable in terms of the residential amenity of future occupiers of the dwelling.

Given the size and location of the side extension, and that it is replacing an existing structure, it is not considered that it gives rise to any concerns over neighbouring amenity. The impacts of the proposed rear extension on Number 78 will now be considered with consideration towards overlooking, overshadowing and overbearingness.

Impact on No.78 Latham Lane

Located adjacent to the subject dwelling, the amenity space between the two dwellings is currently separated by the garage of the application property and a hedgerow.

Overlooking: the proposal would feature fenestration looking directly into the garden only, with no openings proposed to the side of the extension and it is therefore considered that no significant issues would arise regarding overlooking.

Overshadowing/loss of light: The proposed extension is single storey and, though the footprint of the garage overall would increase, the distance between the two properties does not give rise to any significant concerns regarding overshadowing/loss of light. In addition, it is important to note that a non-habitable space, in the form of a double garage at Number 78, is also situated between the two properties, therefore mitigating any concerns regarding overshadowing.

Overbearing: As stated, the proposed extension would be set away from no.78 by the existing garage and the proposed garage alterations would not significantly amend the maximum height. Therefore, no significant issues would arise regarding overbearing.

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 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.

The proposals do not result in the creation of additional bedrooms and therefore it is not anticipated that there will be an intensification of domestic use. The property currently features a large off-street parking area to the front of the property for at least three vehicles, which is considered sufficient.

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 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Policies within chapter 19 of the National Planning Policy Framework are relevant and seek to influence the design and location of new development to help drive nature's recovery and contribute to wider environmental outcomes, safeguarding our most important habitats, species and landscapes and recognising the centrality of natural capital to delivering sustainable growth.

The Conservation of Habitats and Species Regulations 2017 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 and an area where Great Crested Newts have been identified, the proposals are relatively modest, and weight is afforded to the fact that bats are protected in law. It is considered that in this case an appropriate approach would be to draw the protection of bats to the

attention of the applicant as an informative upon any grant of permission, 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.

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. 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.

A climate change statement accompanies this application. This details several measures to be undertaken which, when considered in the context of the requirements of building regulations for the development, is considered sufficient in this regard.

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: 2026/92592

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).

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 to accord with Policies LP01, LP02, LP21, LP22, LP24 & LP30 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 3, 4, 5, 14, 15 and 17 of the National Planning Policy Framework

3. Notwithstanding the plans submitted, the external walls and roofing materials of the development hereby approved shall in all respects match those used in the construction of the existing building. In the event that alternative materials of construction are intended to be used no development above slab level shall take place unless and until a scheme of materials of construction of the external walls and roofing materials has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not be brought into use until it has been completed in accordance with the materials of construction so approved by this condition, which shall be retained thereafter.
   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.

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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. Should they be encountered Natural England must be contacted and where a licence is required, in relation to their removal or relocation, 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	(EX)002revA		17/09/2026
Existing GA	(EX)001		17/09/2026
Block Plan	(20)002revA		17/09/2026
Proposed GA	(20)003revA		17/09/2026
Climate Change Statement			17/09/2026
Application Form			17/09/2026

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 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.

Coal – low