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:	**2023/62/91288/W**
Site Address:	82, West Avenue, Honley, Holmfirth, HD9 6HF
Description:	Erection of detached garage with access from Westcroft and external alterations
Recommending Officer:	Teresa Harlow

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: 25-Apr-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/91288
Location	82, West Avenue, Honley, Holmfirth, HD9 6HF
Proposal	Erection of detached garage with access from Westcroft and external alterations
Publicity end date	29 June 2023
Number of representations received	1no. Amended plans not republicised as these reduced the scale of development: representations made assessed in the report below.
Kirklees Local Plan Allocation/Designation	N/A
Extension to Time (EoT)	Yes **EoT Date: 20th May 2024**
Recommendation	Conditional Full Permission

	NO	**YES**
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) December 2023
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed and beautiful places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity
- **LP 51** – Protection and improvement of air quality

Holme Valley Neighbourhood Development Plan (HVNDP):

- 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 12 – Promoting Sustainability.
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain.

Landscape character area 6: Honley Village Centre

Supplementary Planning Document 'House Extensions and Alterations' (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- 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 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	**SUMMARY**

Negotiations/Amendments during course of application	Yes	Scheme for large double garage sited up to the property boundary considered too large. Agent asked for the opportunity to submit amendments to make scheme acceptable. Amended plans received that acceptably overcame concerns, significantly reducing the size of the outbuilding and re-siting it 1.70m from the site boundary with Westcroft. The footprint of the building has been reduced from 54.6 sq m to 30 sq m. The height reduced from 3.91m to 3.29m and the eaves reduced by 150mm.
Parish/Town Council comments sought Holme Valley Parish Council	Yes	Oppose – Plans unclear and could be an oversized. (original plans)
Planning History	No	N/A
Consultations required	Yes	KC Highways – Informal Consultation – No issue relation to access. Clarity on whether they own the wall needed. - Parking for neighbouring dwellings would not be lost. - If garage used as intended, would not result in vehicles parking within the cul-de-sac. - No significant increase in traffic movement down the street.

Assessment

The Kirklees SPD sets out that outbuildings should comply with certain parameters set out at paragraph 5.29 and 5.30 on page 33 (and listed below) and if they do not, they need to be justified:

Outbuildings Should:	**Yes - COMPLY**	**No - JUSTIFY**
Be subservient in footprint and scale to the	Yes: The proposed outbuilding, as	.

original building and its garden taking into account other extensions and existing outbuildings.	amended is of a reduced height and scale that is now subservient to both the footprint of the dwelling and when assessed in the wider garden area	
Be set back behind the building line of the original building so that they do not impact on the street scene	The proposed garage would be set back behind the building line of the host dwelling on West Avenue. The garage would be visible from Westcroft, from where access is taken, but this form of development is not unusual in the area (for example to the rear of nos. 62-66 West Avenue)	N/A
Preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and follow a general principle that no more than 50% of garden space should be lost.	More than 50% of the garden space would be retained.	N/A

Design and Visual Amenity:

Holme Valley Neighbourhood Development Plan (HVNDP):

LCA 6

Key landscape characteristic of the area are

- Wooded valleys associated with Mag Brook and Magdale.
- Glimpsed views of a wider rural backdrop are often framed by built form. The sloping topography creates a strong connection between the centre of Honley and the wider agricultural setting with strong visual links up to Oldfield. The area affords long distance views to Castle Hill.

- Stone wall field boundary treatments
- A network of Public Rights of Way (PRoW) follows the routes of local lanes or field boundaries with some giving access to Mag Brook and Honley Wood Bottom.

Key built characteristic of the area are

- Honley's historic core is dominated by 18th and 19th century stone dwellings with distinctive yards or folds.
- The south-west of Honley has more eclectic architecture with largely 20th century residential properties in cul-de-sacs. These are generally in-keeping with the historic townscape due to scale and use of traditional materials.
- Weaver's cottages with rows of mullioned windows are found throughout area.

Former mill buildings associated with Mag Brook have been redeveloped for commercial or residential use and form local heritage features.

Taking the key landscape and built characteristics of the area into account, the development would not adversely affect the landscape character of Honley Village Centre.

The Street-scene consists of dwellings which are of similar design, scale and share similar appearances. Along West Avenue there are terraced properties in short rows constructed of stone with blue slate roofs. Dwellings benefit from parking to the front and side of the dwelling and outdoor garden space located to the rear. Some properties take access and have outbuildings accessed from short cul-de-sacs forming part of the wider 'Westcroft' to the north of the site. This has necessitated the removal of an existing stone wall in places. There is a pedestrian access running along the north of the site.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Policy 1 & 2 of the HVNDP	The outbuilding, has been significantly reduced and would be sited towards the end of the garden. It is considered it would not impact on West Avenue. This conclusion is on the	**X**

	• Chapter 12 NPPF	basis the development is set away from the boundary with Westcroft and reduced in height and scale to the extent that it would not adversely impact on the local character of the street. A greater extent of the existing boundary wall is also shown to be retained. This is considered to be a positive feature in the street scape. The garage would be visible from Westcroft, from where access is taken, but this form of development is not unusual in the area (for example to the rear of nos. 62-66 West Avenue).	
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	The garage would not have any impact directly on the original house due to the separation distance maintained and the reduced scale of the development.	✓
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	The proposed height, scale and massing of the outbuilding, as amended, would be proportionate to the host property and a subservient feature in the streetscape.	**X**
Facing materials and detailing	• KDP 9 of the SPD	The proposed roofing materials would match the host dwelling. The walls are proposed to be	**X**

	• Policy LP24 Design (d) (iii) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	clad in timber, which is suitable for an outbuilding and not bring an unusual detail to the local area, thus being acceptable.	
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	The pitched roof design is considered to be acceptable for the outbuilding.	✓
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	There are no windows proposed within the garage. There would simply be a garage door and a pedestrian door in the side elevation.	✓
Accessibility for all users	• KDP 17of the SPD • Policy LP24 Design (f) • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	The outbuilding's construction would not result in reduced accessibility to the host property, which would be accessed as existing.	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD, HVNDP and the NPPF.

Residential Amenity:

The main properties affected are:

- *80 West Avenue – An end terraced dwelling located to the east of the application site.*
- *84 West Avenue – A terraced dwelling adjoined to the host dwelling of the application site located to the west.*
- *12 and 24 Westcroft – semi-detached dwellings located to the north of the application site.*

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to sides, rear and front)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Policy 2 of the HVNDP • Chapter 12 of the NPPF	As there are no windows proposed within the outbuilding, the development is considered to have no significant impact upon privacy for neighbouring dwellings.	✓
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Policy 2 of the HVNDP • Chapter 12 of the NPPF	Due to the outbuilding's location in relation to neighbouring dwellings, the development would not materially impact natural light received, be overbearing or create a significant overshadowing impact to these properties.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Policy 2 of the HVNDP • Chapter 12 of the NPPF	Whilst the proposed extension would use space located in the rear garden, there would be adequate outdoor space retained to be used by current and potential future occupants, therefore, the proposal is considered acceptable in this regard.	✓

The proposal is therefore considered to be acceptable in terms of residential amenity and to accord with policy LP24 of the adopted Kirklees Local Plan, Policy 2 of the HVNDP, the SPD and the NPPF.

Highways and Parking:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A

Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	The outbuilding would require the removal of a section of an existing wall, the crossing of a pedestrian access by vehicles and the formation of another access point from Westcroft. The plans confirm the existing lamp standard adjacent the access would remain. KC Highways were informally consulted regarding the potential impact the proposal would have on Westcroft, as it would be accessed from the turning head of a short cul-de-sac. KC Highways stated that the proposal would not result in a large increase in traffic moving down the road. Furthermore, the proposal would not disrupt any allocated parking within the street scene, thus having no objection to the proposal regarding highway safety. Intervisibility to and from the site along the pedestrian access would remain good, as the wall is low. The garage, as re-sited would all the door to be opened and closed without affecting third party land.	✓
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP	The proposed outbuilding would serve as a garage and would be able to accommodate a single vehicle. It is	✓

	• Chapter 12 of the NPPF	acknowledged that the internal length falls short of 6m, it is 5m. However, given the additional width of the garage it would be suitable to accommodate a single vehicle/be used as a general domestic outbuilding. There is further parking available to the host property taken from West Avenue.	
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Waste collection and storage is considered to be as existing.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters:

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	**Further comments**	**✓ / X / N/A**
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (I) (iv) Policy LP33 Trees • Chapter 12 of the NPPF	N/A	✓
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Policy 13 of the HVNDP • Chapter 15 of the NPPF	N/A. The outbuilding would be located in a cultivated garden area.	✓
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51	Small scale domestic development to an existing dwelling. As such,	✓

	• Policy 12 of the HVNDP • Chapter 14 of the NPPF	no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	Most of the rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓

The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, HVNDP, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

Summary of Representation	**Officer response**	**Addressed ✓ / X / N/A**
Garage is far too big in terms of footprint for the local area. Cul-De-Sac already too small to accommodate more traffic and parked cars.	Noted and officers concurred with this conclusion. Amended plans were subsequently received which substantially reduced the scale of the building and it is against these amended plans that the application is being assessed. The development was discussed with KC Highways, an assessment of highway safety has been undertaken in the report.	✓

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
Application Number: 2023/91288
Officer Recommendation: Approve

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.

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 Policies LP21, LP22, LP24, LP30 and LP51 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan, Key Design Principles of the adopted House Extensions and Alterations SPD and policies within Chapters 9, 12, 14 of the National Planning Policy Framework.

3. The external roofing materials of the garage hereby approved shall in all respects match those used in the construction of 82 West Avenue, Honley, HD9 6HF and be retained thereafter. The walls shall be clad in timber before the garage is first brought into use. The materials of construction of the garage hereby approved shall be retained thereafter.
Reason: In the interests of visual amenity, and to accord with Policy LP24 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan, Key Design Principles 1, 2 and 9 of the Council's adopted House Extensions and Alterations SPD and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Existing and Proposed Drawing	01	C	22 Apr 2024
Climate Change Statment			16 May 2023

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 2015 and otherwise actively engaged with the applicant in dealing with the application. Original scheme considered too large. Amended plans received that acceptably overcame concerns, significantly reducing the

size of the outbuilding and re-siting it 1.70m from the site boundary with Westcroft.

Report Dated: 24/04/2024

Coal - Low