

**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:	2024/62/90234/W
Site Address:	83, Woodhead Road, Holmfirth, HD9 2PX
Description:	Demolition of existing garage and erection of replacement garage
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.

Teresa Harlow

AUTHORISED OFFICER

Date: 22-Mar-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/90234
Location	83, Woodhead Road, Holmfirth, HD9 2PX
Proposal	Demolition of existing garage and erection of replacement garage
Publicity end date	8 th March 2024 – not advertised as affecting PROW due to being a replacement structure = neutral impact
Number of representations received	None
Kirklees Local Plan Allocation/Designation	None – however is within the Strategic Green Infrastructure Network and bat alert layer within Kirklees Local Plan
Extension to Time (EoT)	No
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	✓	

If 'No' to all above, proceed with a fast track report

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
- NPPF Chapter 15 – Conserving and enhancing the natural environment

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 31** – Strategic Green Infrastructure Network
- **LP 51** – Protection and improvement of air quality
- **LP 53** – Contaminated and unstable land

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 4 – River Holme Settled Valley Floor

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 12: Natural environment
- 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	No	N/A
Parish/Town Council comments sought		Holme Valley Parish Council – support the application
Planning History	No	N/A
Consultations required	No	N/A

Assessment

Description of development:

The application seeks permission for the demolition of an existing garage and the erection of a replacement garage.

The existing garage sits behind the building line of the host dwelling which is a back-to-back property. The dimensions of the existing garage are 6.7m x 4.2m with an overall height of 2.2m. The garage is constructed from stone with metal panelled roof.

It is proposed that the garage would be replaced within the same location, with the same footprint as the existing garage. The garage would have a mono-pitched roof with the eaves height being 2m with an overall height of 2.7m. The internal footprint of the garage would be 6m x 3.5m.

The garage would be constructed from natural stone for the walls, metal panels for the roof with a painted/powder coated garage and side door.

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 normally:	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings	Yes – it would be subservient in terms of footprint and scale – same footprint as exiting garage	

Be set back behind the building line of the original building so that they do not impact on the street scene	Yes – it is set back from the building line of the original building within the south-west corner of the site	
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.	Yes – the main amenity space to the rear of the property would not be lost as a result of the proposal	

Design and Visual Amenity:

Landscape Character Area 4 – River Holme Settled Valley Floor:

The key landscape characteristics of the area are:

- Framed views from the settled valley floor to the upper valley sides and views across to opposing valley slopes and beyond towards the Peak District National Park.
- Boundary treatments comprised largely of millstone grit walling. The stone walling which runs parallel with Upperthong Lane is representative of local vernacular detailing.
- A network of Public Rights of Way (PRoW) including the Holme Valley Riverside Way which follows the River Holme from Holmbridge through Holmfirth and downstream. National Cycle Route no. 68 follows minor roads through Upperthong towards the centre of Holmfirth before climbing the opposing valley slopes.
- Mill ponds reflect industrial heritage and offer recreation facilities.

The key built characteristics of the area are:

- Mill buildings, chimneys and ponds, including Ribbleden Mill with its chimney, associated mill worker houses and ashlar fronted villas link the area to its industrial and commercial heritage and are a legacy of the area's former textile industry.
- Terraced cottages and distinctive over and under dwellings feature on the steep hillsides with steep ginnels, often with stone setts and narrow roads.

- Narrow winding streets with stepped passageways, stone troughs and setts characterise the sloping hillsides above Holmfirth town centre.
- Small tight knit settlements on the upper slopes are characterised by their former agricultural and domestic textile heritage.
- There are mixed areas of historic and more recent residential and commercial developments.

Summary of local street scene/character:

Back-to-back stone constructed property with an existing detached garage to the side and garden area to the rear. The properties is two storeys in height and constructed from stone.

There is a Public Right of Way which runs along to the side of No's 81 and 83 Woodhead Road running southwards. Access to the property and garage is via a driveway to the side of the dwellings.

Surrounding development is comprised of residential properties to the north and opposite side of Woodhead Road to the west and south and to the rear is Bottoms Mill which is in a designated Priority Employment Area within the Kirklees Local Plan. This is at a substantially lower ground level and the garage structure is built/would be built on the boundary of the site onto a retaining structure.

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	<ul style="list-style-type: none"> • KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 NPPF 	Subservient structure and replacement of an existing garage in the same location.	✓
Impact on original house	<ul style="list-style-type: none"> • KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP 	As above – constructed from natural stone for the walls – in keeping with host dwelling	✓

	<ul style="list-style-type: none"> • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF 		
Height, scale and massing	<ul style="list-style-type: none"> • 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 	As above – detached structure with same footprint as existing garage – single storey	✓
Facing materials and detailing	<ul style="list-style-type: none"> • KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF 	Natural stone for the wall, metal panels for the roof – can be secured by condition	✓
Roof style	<ul style="list-style-type: none"> • 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 	Mono-pitched roof – similar to existing garage which it would replace	✓
Window proportions	<ul style="list-style-type: none"> • 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 	One window proposed within rear elevation which is small in scale – appropriate for use of building	✓
Accessibility for all users	<ul style="list-style-type: none"> • KDP 17 of the SPD • Policy LP24 Design (f) • Policy 1 & 2 of the HVNDP 	No changes to access	✓

	<ul style="list-style-type: none"> Chapter 12 of the NPPF 		
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The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity:

The main properties affected are:

- 81 Woodhead Road – attached neighbour to the front of the application site address – garage sited to the rear – no significant impact over and above existing structure
- 5 Malkin Wood View – facing property – limited impact due to approximate 34 metres separation distance and separated by Woodhead Road
- Bottoms Mill to rear of application site – limited impact as commercial property set on a lower ground level

	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)	<ul style="list-style-type: none"> KDP 3 & 4 of the SPD Policy LP24 Design (d) (iv) Policy 2 of the HVNDP Chapter 12 of the NPPF 	Window proposed within rear elevation – doesn't face other residential properties and therefore considered acceptable – garage door and access door within front and side elevation – limited harm to privacy due to being non-habitable accommodation	✓
Impact on light and outlook of neighbours (to sides, rear and front)	<ul style="list-style-type: none"> KDP 4, 5, 6 of the SPD Policy LP24 Design (b) Policy 2 of the HVNDP Chapter 12 of the NPPF 	Limited loss of outlook due to being a detached, single storey structure	✓
Remaining garden space of application property	<ul style="list-style-type: none"> KDP 7 of the SPD Policy LP24 Design (b) and (c) 	Unaffected	✓

	<ul style="list-style-type: none"> • Policy 2 of the HVNDP • Chapter 12 of the NPPF 		
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The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, 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	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	Highway unaffected – PROW running along access to garage – same arrangement as existing. Note to be imposed regarding legal responsibilities to not block footpath.	✓
Parking provision	<ul style="list-style-type: none"> • KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF 	Adequate dimensions for the parking of 1 no. vehicle	✓
Provision for waste storage	<ul style="list-style-type: none"> • KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF 	Currently to side of existing garage and therefore adequate space	✓

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	Further comments	✓ / X / N/A

	the Kirklees Local Plan and the NPPF		
Impact on trees	<ul style="list-style-type: none"> • KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF 	Limited harm to unprotected trees to rear – similar arrangement as existing	✓
Impact on ecology	<ul style="list-style-type: none"> • KDP 12 of the SPD • Policy LP30 • Policy 13 of the HVNDP • Chapter 15 of the NPPF 	<p>Bat alert layer – due to existing structure being single storey with a metal roof – bats unlikely however a footnote can be attached to the decision notice</p> <p>Strategic Green Infrastructure Network – The site is within the Strategic Green Infrastructure Network and therefore Policy LP31 is of relevance in this instance. The role of the Network is to safeguard and enhance green infrastructure networks, green infrastructure assets and the range of functions they provide. It is not considered that the proposed works would be detrimental to the aims of Policy LP31 of the Local Plan.</p>	✓
Carbon Budget / Climate change statement	<ul style="list-style-type: none"> • KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Policy 12 of the HVNDP • Chapter 14 of the NPPF 	Small scale domestic development to an existing dwelling. As such, 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	<ul style="list-style-type: none"> • KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP 	The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓
Land Stability	<ul style="list-style-type: none"> • KDP LP53 • Chapter 15 NPPF 	The garage would be built in the same location as existing but the rear wall would be on top/part of an existing retaining structure between the site and Bottoms Mill. In accordance with Chapter 15 of the NPPF, the responsibility for ensuring a safe development in these circumstances rests with the landowner/developer. Cert B served with the application.	

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

Representations, including Parish/Town Council comments:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
Holme Valley Parish Council - support	note	✓

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: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number: 2024/90234

Officer Recommendation: Approve

Conditions and Reasons

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 to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP31, LP51 and L53 of the Kirklees Local Plan, Policies 1, 2, 12 and 13 of the Holme Valley Neighbourhood Development Plan, Key Design Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 14 15, 16 and 17 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2,12, 14 and 15 of the National Planning Policy Framework

3. The external walls of the garage hereby approved shall be constructed from course natural stone and retained as such thereafter.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1, 2 and 9 the Council's adopted House Extensions and Alterations Supplementary Planning Document, Policy 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 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.

NOTE: In accordance with paragraph 190 of the National Planning Policy Framework "where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner". This is of relevance to the application site given the proposed siting of the garage and the proximity to an existing retaining structure to the east of the site.

NOTE: Public footpath no. HOL/95/40 crosses the application site. No obstruction, interference or works to the public footpath is authorised without separate written consent from the Public Rights of Way Team (Highway Authority). The applicant is advised to contact publicrightsofway@kirklees.gov.uk before development works commence.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan, existing and proposed elevations and floor plans and section	248 (0-)01 – Rev: A		29 th January 2024
Climate Change Statement	Appendix A		1 st February 2024

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. It was not considered necessary to seek any amendments/further information during the course of this application.

Report Dated: 21st March 2024