

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:	2024/62/90703/W
Site Address:	39, Honey Head Lane, Honley, Holmfirth, HD9 6RW
Description:	Partial conversion of existing integral double garage to incorporate one garage space as habitable space.
Recommending Officer:	Molly Storer

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: 03-May-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2024/90703
Location	39, Honey Head Lane, Honley, Holmfirth, HD9 6RW
Proposal	Partial conversion of existing integral double garage to incorporate one garage space as habitable space.
Publicity end date	25 th April 2024
Number of representations received	None
Kirklees Local Plan Allocation/Designation	Unallocated on the Kirklees Local Plan
Extension to Time (EoT)	N/A
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 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.

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 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

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	

Holme Valley Council comments sought	Yes	No comments received to date
Planning History	Yes	2006/93852 – Erection of 2 detached dwellings with integral garages. Conditional Full Permission. It is noted a condition (no.6) of this permission is subject to condition requiring integral garages to not be used for any purpose other than the garaging of motor vehicles. The reason for the condition in the interests of the free and safe use of the highway.
Consultations required	Yes	K.C. Highways – informally consulted due to the loss of a parking space on site with the removal of one of the integral garages. See the parking provision section for assessment of these comments.

Assessment

The application seeks permission for the partial conversion of the existing integral double garage to incorporate one garage space as a habitable room. This will involve keeping one half of the garage and converting the other half to a playroom which will be accessed from the hallway.

Garage conversion

As part of the previous application 2006/93852 condition 6 stated that:

‘Notwithstanding the provisions of the General Permitted Development Order (1995) and any Order that may revoke or supersede it with or without modification, the integral garage shall not be used for any purpose other than the garaging of motor vehicles.

Reason: *In the interests of the free and safe use of the highway and to accord with Policy T10 of the Unitary Development Plan.’*

As such, the conversion of the garage requires planning permission and shall be assessed within the highways section of this report.

Design and Visual Amenity:

The application site is within Landscape Character Area 6 - Honley Village Centre.

The key landscape characteristics 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.

The key built characteristics 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.

The application site refers to a two-storey detached dwelling erected within the last 15 years. The property benefits from a driveway to the front and garden amenity pace to the rear. The property is constructed from stone with a stone slate roof. The dwelling is situated within a new housing estate with properties of a similar age and style.

Consideration has been given here in terms of the proposals impact on the local character and street scene.

	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, street scene and original house	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP	Although the proposal would alter the appearance of the front elevation of the dwelling this is considered to harmonise with the	✓

	• Policy 1 & 2 of the HVNDP • Chapter 12 NPPF	original house due to it utilising matching materials and having windows which align with windows already on the ground floor. The proposal would also harmonise with the wider street scene due to many houses on the street only having one integral garage.	
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	Construction materials to match. – A condition to ensure this is the case is recommended.	✓
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	Windows for garage conversion would match those on the ground floor and therefore would not appear out of place.	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	Access to the property would remain the same.	

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:

- 42 Honey Head Lane – property directly across the street to the north west of the front elevation.

	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	Although No.42 does directly face the garage conversion and the additional glazing within it , the ~12m separation distance will mean that privacy to these neighbours will not be significantly impacted.	✓
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 garage conversion not extending beyond the front elevation there will be no additional overbearing or overshadowing impact.	✓
Remaining garden space of application property	• KDP 7 of the SPD • Policy LP24 Design (b) and (c) • Policy 1 & 2 of the HVNDP • Chapter 12 of the NPPF	No additional garden space will be taken up by the proposal.	✓

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	• KDP 15 of the SPD	N/A	N/A

	• Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF		
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Policy 11 of the HVNDP • Chapter 12 of the NPPF	Condition 6 of the previous permission requires that garage provision should be retained for vehicular parking only. However, K.C. Highways considered that, on balance, the development is acceptable due to the integral garage already being below standard for modern vehicles and 2 full spaces being retained on site. Weight was also given to the fact there will be additional room on the driveway and one other integral garage space will be retained. Although this retained garage space would not meet required standard, a smaller car would be able to park in this. The HVNDP states 'where planning permission is required proposals to convert existing garaging into non-parking provision will be discouraged unless suitable alternative off-road parking is available' in this instance it is considered that there is adequate parking onsite. It is recommended that any approval is subject to condition the remaining	✓

		integral garage space is used for vehicular parking only.	
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Not shown on plan however adequate space to provide storage for bins	✓

Subject to condition the proposal is therefore concluded to be 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	N/A
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Policy 13 of the HVNDP • Chapter 15 of the NPPF	N/A	N/A
Carbon Budget / Climate change statement	• 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 which states that Local builders will be constructing the dwelling using materials sourced locally.	
Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 of the KLP		N/A

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
N/A	N/A	N/A

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: 2024/90703

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 and LP51 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 15 and 16 of the Council's adopted House Extensions & Alterations Supplementary Planning Document, Policies 1, 2 and 12 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and/or any Order that may revoke or supersede it with or without modification, the remaining integral garage shall not be used for any purpose other than the garaging of motor vehicles.

Reason: In the interests of the free and safe use of the highway and to accord with policies LP21 and LP22 of the Kirklees Local Plan, Policy 11 of the Holme Valley Neighbourhood Development Plan and principle 15 of the Council's adopted House Extensions and Alterations SPD.

4. Notwithstanding the plans submitted the external materials of construction used in relation to the external alterations of the development hereby approved shall in all respects match those used in the construction of the existing building and 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, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Climate change statement	-	-	14/03/2024
Location plan	24-WAR-01	-	14/03/2024
Existing and proposed floor plans and elevations	24-WAR-02	-	14/03/2024

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:

30/04/2024