

**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:	<b>2024/62/93301/W</b>
Site Address:	16A, Haughs Road, Quarmby, Huddersfield, HD3 4YS
Description:	Erection of extension to existing garage with home office over, creation of parking areas and associated works (Within a Conservation Area)
Recommending Officer:	Lucy Taylor

**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: 20-Jan-2025**

## **Officer Report.**

**Reference:** 2024/93301

**Location:** 16A, Haughs Road, Quarmby, Huddersfield, HD3 4YS

**Proposal:** Erection of extension to existing garage with home office over, creation of parking areas and associated works (Within a Conservation Area)

## **Site Description.**

16A Haughs Road is a two-storey detached property located in Quarmby, Huddersfield. The property benefits from a detached garage. The external walls of the property and detached garage are faced in natural stone and the roofs infilled with stone slates.

The application site is located within Quarmby Fold Conservation Area and Listed Buildings are located to the east of the site (No.'s 2, 3 & 4 Holly Bank Court and No. 12 Haughs Road).

## **Description of Proposal.**

Planning permission is sought for the erection of an extension to the existing garage with home office over, the creation of parking areas and associated works.

The extensions will result in the garage having the following dimensions:

- Width – 5.3 metres
- Depth – 8.6 metres
- Maximum height – 4.7 metres

The external walls of the garage extension will be constructed from matching natural stone, with the roof to be infilled with matching stone slate tiles.

The proposal includes a permeable tarmac driveway and a compacted decorative gravel turning space with pin kerb edging.

## **History of Negotiations.**

No negotiations took place, and no amended plans were sought or submitted.

## **Relevant Planning History.**

- 91/04355 – Conversion of barn to dwelling. *Granted Conditional Full Permission.*
- 98/91744 – Erection of detached garage. *Granted Conditional Full Permission.*

- 2015/90960 – Erection of single storey rear extension. *Granted Conditional Full Permission.*
- 2019/93747 – Erection of extension. *Granted Conditional Full Permission.*

### **Representations.**

We have publicised this application via neighbour notification letters, a site notice and within the newspaper.

Final publicity date expired – 13<sup>th</sup> January 2025.

No representations received.

### **Consultation Responses.**

No consultations were deemed necessary for this planning application.

### **Policy / Legislation.**

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 27<sup>th</sup> February 2019).

The application site is located within Quarmby Fold Conservation Area and Listed Buildings are located to the east of the site (No.'s 2, 3 & 4 Holly Bank Court and No. 12 Haughs Road).

The site is located within an area with a known presence of bats.

The site is within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

### **Kirklees Local Plan:**

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking
- LP24 – Design
- LP28 – Drainage
- LP30 – Biodiversity and Geodiversity
- LP32 – Landscape
- LP35 – Historic Environment

## **Supplementary Planning Documents:**

- Highways Design Guide SPD (2019)
- House Extensions and Alterations SPD: The Kirklees House Extension and Alterations SPD, adopted on 29 June 2021, has been prepared to help householders, developers, agents and architects who are planning and designing an extension or alterations (householder development) to an existing residential property, including conservatories and outbuildings, such as garages. It provides detailed guidance regarding the standard of development that will help achieve a well-designed house extension or alteration required by the Council.

## **National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 12 – Achieving well-designed
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

## **Assessment.**

### **1) Principle of Development**

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes on to further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”*

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 instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on the historic environment and visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

## **2) Impact on Visual Amenity and Historic Environment**

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’*.

As the site is within a conservation area the impact of the development will need also to be assessed against national policy in Chapters 12 and 16 of the NPPF and the general duty in Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that *“in the exercise of (of planning functions), with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

Policy LP35 is also relevant which advises that proposals which affect heritage assets should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

The application seeks permission for the extension of the existing garage. Whilst the proposed extensions would result in a larger detached garage structure to the side of 16A Haughs Road, it is considered that the structure would still appear subservient to the host dwelling and would appropriately harmonise with the host dwelling, with matching exterior construction materials to be used.

The parking arrangements at the site are considered to also be acceptable from a visual perspective, with a tarmac driveway already established to the front of the existing garage. The permeable tarmac driveway will be read in conjunction with the existing tarmac access road and the turning space will be compacted decorative gravel as to harmonise appropriately with the grassed garden area.

Given the above, the proposal would therefore accord with Policies LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the NPPF.

### **3) Impact on Residential Amenity**

Policy LP24 of the Kirklees Local Plan and Chapter 12 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.

Sections B and C of Policy LP24 of the Kirklees Local Plan state that alterations to existing buildings should: *"...maintain appropriate distances between buildings"* and *'...minimise impact on residential amenity of future and neighbouring occupiers.'*

Further to this, paragraph 135 of the NPPF states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Whilst the detached garage structure at 16A Haughs Road would increase in size / scale as a result of the proposed extensions, it would retain a sufficient distance from any surrounding properties as to prevent any undue impacts of overbearing or overshadowing.

The glazing proposed to the detached garage is not considered to result in any undue impacts of overlooking towards neighbouring properties. All windows, excluding velux windows, will be installed at ground floor level. The glazed doors to the rear are proposed to serve a habitable area internally (gym / garden room), however, given the separation distance and topographical relationship between the site and adjacent property (No. 15 Field View Drive), as well as the existing forms of boundary treatment, it is not considered that the glazed doors would result in undue impacts of overlooking. It is also noted that the glazed doors benefit from the same outlook of existing areas of outdoor amenity space at 16A Haughs Road.

Therefore, it is considered that there will be no significant impact on neighbouring properties, in terms of overshadowing, overbearing or overlooking, and would accord with policies LP1, LP2 and LP24 of the Kirklees Local Plan, Principles 3, 4, 5 and 6 of the Council's adopted House

Extensions and Alterations Supplementary Planning Document and 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.

The alterations to the detached garage will not directly increase the domestic function of 16A Haughs Road, with the number of bedrooms within the dwellinghouse to remain as existing.

The proposals show four parking spaces to be provided on site. This is considered to be a sufficient number of parking spaces to serve 16A Haughs Road.

Upon any grant of approval, a condition shall be imposed to ensure that the hard surfaced areas are permeable.

With the inclusion of the aforementioned condition, the proposal is considered to be acceptable and accord with the aforementioned policies.

#### **5) Other Matters**

##### Climate Change:

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Principle 9 goes on to highlight that the use of innovative construction materials and techniques, including reclaimed and recycled materials should be used where possible. Furthermore, Principles 10 and 11 request that extensions and alterations consider the use of renewable energy and designing water retention into the proposals.

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 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.

The application has been submitted with a Climate Change Statement, which sets out several mitigation measures.

Considering the small-scale of the proposed development, it is considered that it would not have an impact on climate change that needs significant mitigation to address the climate change emergency.

**Bats:**

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 the property is in a good state or repair with limited disturbance to the roof, however a cautionary note should be added regarding bats.

As such the development would have little impact on bats and would be in accordance with Chapter 15 of the National Planning Policy Framework and Policy LP30 of the Kirklees Local Plan.

## **6) 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 materials considerations. It is considered that the development is acceptable and is therefore recommended for approval.

**Recommendation: Approve**  
**Decision Authorisation – Delegated Powers**  
**Application Number: 2024/93301**  
**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 so as to ensure the satisfactory appearance of the development on completion, and to accord Policies LP1, LP2, LP21, LP22, LP24, LP30

& LP35 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7 and 15 of the Council's adopted House Extensions and Alterations SPD and policies within Chapters 2, 4, 12, 14, 15 & 16 of the National Planning Policy Framework.

3. The extensions hereby approved to the detached garage shall be constructed from natural stone and stone slate tiles to match the host dwelling of 16A Haughs Road. The external construction materials approved by this condition shall thereafter be retained.

**Reason:** In the interests of visual amenity and to accord with Policies LP2, LP24 & LP35 of the Kirklees Local Plan, principles 1 and 2 of the House Extensions and Alterations SPD and policies within Chapters 12 and 16 of the National Planning Policy Framework.

4. The extensions hereby approved shall not be brought into use until the parking and turning areas as indicated on the hereby approved 'As Proposed Plans' (dwg no. 16aHRG/P01) have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance; Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) this shall be so retained, free of obstructions and available for parking.

**Reason:** In the interests of amenity and traffic safety, to ensure adequate space within the site for vehicle movements and parking and to ensure that the additional hardstanding area is appropriately drained to mitigate flood risk in accordance with Policies LP21, LP22, LP28 and LP34 of the Kirklees Local Plan and Chapter 14 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
Topographical Survey	16a/HR/SEPT24-01	-	29.11.2024
As Existing	16aHR-Location Plan	-	29.11.2024

As Proposed Plans	16aHRG/P01	-	29.11.2024
As Proposed Elevations	16aHRG/P02	-	29.11.2024
Climate Change Statement	-	-	29.11.2024
Heritage and Design & Access Statement by Elizabeth Parr. Architect	-	-	29.11.2024

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. No negotiations took place, and no amended plans were considered required to be sought or submitted.

**Report Dated: 14.01.2025**