

**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:	2025/62/90023/W
Site Address:	18, Meltham Road, Honley, Holmfirth, HD9 6HX
Description:	Change of use from domestic garage to dog grooming unit
Recommending Officer:	Joanna Rednall

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 01 April 2025

The Site

18, Meltham Road is a two-storey semi-detached dwelling located in Honley, Holmfirth which occupies a corner plot. The front elevation of the property is finished in stone at first-floor level and pebble-dash render to the first floor and side elevation and incorporates a hipped roof above. The property benefits from a flat-roofed porch to the side and a lawned garden which wraps around the front, side and rear of the dwellinghouse. To the rear of the dwelling is a detached garage and driveway.

The application site is situated within a wider residential area where surrounding development is similar in terms of design and architectural features.

The site is unallocated on the Kirklees Local Plan.

The Proposal

The applicant is seeking planning permission for change of use from domestic garage to dog grooming unit.

The footprint of the garage will remain unchanged as a result of the development. The only external modifications will involve replacing the existing garage door on the front elevation with a door and window, along with the addition of a window to the rear.

The applicant has provided a supporting statement outlining the following:

- Hours of operation: 8:30am – 5pm Monday to Friday with occasional Saturday mornings
- The applicant will be the only person working in the dog grooming unit.
- Approximately 3 dogs per day / 15 per week
- The grooming business will be a drop off and pick up service with no customers waiting on site
- There will be time in between appointments so customers do not overlap
- Existing waste storage for 18, Meltham Road will be sufficient to cover the business and household

History of Negotiations

Officers sought agreement to the pre-commencement condition recommended by KC Environmental Health.

Planning History

There is no planning history for the site which is considered relevant to the current proposal.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via neighbour notification letters.

Final publicity date expired: 4th March 2025.

5 letters (which includes hand-written letters, e-mails and on-line representations) of representation have been received. These are summarised as follows:-

Letters of objection

- Increased pressure on parking and traffic around Meltham Road
- There is existing congestion on Meltham Road/ Grasscroft Avenue and the proposed development would intensify this issue
- The proposed parking does not allow vehicles to exit the property in a forward gear and would be detrimental to highway safety as a risk to pedestrians walking on the public footpath
- The area is predominantly residential and the increase in traffic would increase the risk of accidents and a commercial or mixed use location may be more appropriate for the business
- The business would be operating throughout the day with regular noise and activity
- The development would be contrary to a previous appeal decision and detrimental to the living conditions of neighbouring residents in terms of noise and would be contrary to paragraph 135(f) of the NPPF.
- Impact upon privacy

Holme Valley Parish Council - unable to make a decision due to some conflicting and incomplete information in the application.

Consultations

KC Environmental Health: recommended three conditions including hours of use, a noise mitigation scheme, and to keep doors and openings closed.

KC Highways Development Management: the proposal is acceptable from a highways perspective.

Allocation & Policies

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 27th February 2019) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

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 (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP51 Protection and Improvement of Local Air Quality
- LP52 Protection and Improvement of Environmental Quality

Holme Valley Neighbourhood Development Plan

The following policies of this plan are considered most relevant:

- Policy 1 – Protecting and Enhancing the Landscape Character of the Holme Valley
- Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- Policy 12 – Promoting Sustainability

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, 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:

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- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

Kirklees Highway Design Guide (November 2019)
Holme Valley Neighbourhood Development Plan

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.

Assessment

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon visual amenity
2. Impact upon residential amenity
3. Impact upon highway safety
4. Other matters
5. Representations
6. Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal 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”.

Chapter 6 of the National Planning Policy Framework also states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. In this case, albeit on a very small scale, this proposed development complies with this aim of Paragraph 80 of the NPPF. The proposed development will result in a small dog grooming business at the site.

The proposal would constitute a town centre use and would be located out of centre, however given the small scale nature of the use, it is not considered commensurate to request the submission of a sequential test in this case. Given the limited scale of the use and premises, it is not one which is considered to harm the vitality and viability of the local centre (Honley).

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council’s adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

Policy 1 of the Holme Valley Neighbourhood Plan HVNP sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), in this case Honley Village Centre (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.

Policy 2 of the HVNP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting. Furthermore, this policy sets out that development should sit in with and neither dominate or have a detrimental; impact on its surroundings and neighbouring properties.

The proposal involves a change of use from a domestic garage to a dog grooming unit. The visual alterations are modest and include the removal of the existing garage door from the front elevation, replaced by a door and a window. A new window is also proposed for the rear elevation. The garage is

set approximately 10 metres back from the pavement and the siting or size of the garage would not be altered as part of the development. Officers consider these minor alterations would have an acceptable visual impact on the street scene and given its set-back position from the highway, it is considered the proposed alterations would not appear incongruous or out of character with the street.

Altering the use has the potential to affect the character of the area and in this instance, given the small scale nature of the operations proposed at the dog grooming service, with the planning statement confirming a maximum of one employee, who is the occupant of 18, Meltham Road, and leaving time between appointments to avoid customers overlapping to ensure there is only one customer dropping off and picking up at a time.

Upon grant of approval, officers consider it reasonable to impose conditions regarding the operation of the business, including a condition on the hours of use combined open for customers, deliveries and dispatches. As such it is considered the proposed would comply with Policy LP24 of the Kirklees Local Plan, and policies within Chapter 12 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.

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users. Paragraph 198 states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health by (amongst other things) mitigating and reducing to a minimum potential adverse impact resulting from noise.

Policy LP52 states that proposals which have the potential to increase pollution from, amongst other things, noise must include suitable and sustainable mitigation measures to protect the quality of life and well-being of people.

Policy 2 of the HVNP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

The garage is located on the adopted highway of Grasscroft Avenue, with other detached garage structures immediately neighbouring the site to the north. The detached garage at No.18 is separated from the dwellinghouse of No.20, Meltham Road by approximately 8.5 metres. No.18's detached garage is located approximately 10 metres from the dwellinghouse to its north (1, Grasscroft Avenue) and approximately 30 metres from the dwellinghouse to its east (2, Grasscroft Avenue). The detached garage is separated from the other dwellinghouses on Meltham Road opposite the application property by over 35 metres.

KC Environmental Health have been formally consulted as part of this application. In this case, officers note the submitted supporting statement provides detail on the hours of use, and a condition is recommended to secure these hours in the interests of protecting amenity. Whilst some detail is offered on the number of dogs per week, no information is given on controlling noise break out from either the dog barking or any equipment to be used. It is also noted that there is a window to the rear opening out onto a neighbouring garden and officers recommend a condition to ensure this window is kept closed. To ensure the development does not result in harmful noise pollution within neighbouring noise sensitive locations, a condition is recommended for a Noise Management Plan to be submitted which should detail these and any other noise control measures along with a condition recommending doors and windows be kept closed. Such conditions have been considered reasonable, in order to protect neighbouring amenity.

Additionally, officers have noted that the size of the garage will remain unchanged, meaning there will be no undue overbearing or overshadowing impact on the neighbouring properties. New windows are proposed for both the front and rear elevations, with the rear window introducing an opening where none currently exist. While this could potentially lead to overlooking of No. 20, Meltham Road, it is important to note that the garage will not be a habitable structure. Furthermore, the orientation of the garage in relation to neighbouring dwellings ensures that the windows will not directly face habitable windows. Officers also observed that there is adequate boundary treatment along the common boundary, which will help to prevent any significant loss of privacy at No. 20, Meltham Road.

Therefore, with the inclusion of the aforementioned conditions the change of use would comply with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapter 12 and 15 of the NPPF. This is because, the change of use, under the imposed conditions, would cause no detriment to the occupiers of dwellings located in close proximity, most importantly with an application of this nature, cause no detriment in terms of noise disturbance.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 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.

As part of the determination of this application, an informal consultation was undertaken with KC Highways Development Management. The Highways Team note the existing property benefits from one off-street parking space to the front of the garage which accessed off Grasscroft Avenue. The proposed site plan shows off-street parking spaces for 3 vehicles as well as a new access adjacent to the existing. Officers consider the proposed change of use from garage to dog grooming unit would not have a harmful impact upon parking and would not significantly intensify the use of the dwelling. It is considered the additional trips to the site in relation to the dog grooming unit will not be significant as there would be off-street parking provided on site, as well as unrestricted parking to the front of the site. For the scale of development, this parking provision is considered to be acceptable. A condition will be imposed restricting the number of employees to that of the resident of the property.

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:

Climate Change

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 pre-dates 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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

6 – Representations:

- Increased pressure on parking and traffic around Meltham Road
- There is existing congestion on Meltham Road/ Grasscroft Avenue and the proposed development would intensify this issue
- The proposed parking does not allow vehicles to exit the property in a forward gear and would be detrimental to highway safety as a risk to pedestrians walking on the public footpath
- The area is predominantly residential and the increase in traffic would increase the risk of accidents and a commercial or mixed use location may be more appropriate for the business

Officer response: The impact upon parking and highway safety has been assessed under Section 4 of this report. KC Highways Development Management have been informally consulted during the course of determining this application and have raised no concerns with regard to parking, congestion and highway safety. Their response can be found under Section 4 of this report.

- The business would be operating throughout the day with regular noise and activity

Officer response: Noted. KC Environmental Health have been consulted on this application and have recommended two conditions with regard to noise. Their response including the impact upon noise/ residential amenity can be found under Section 3 of this report.

- The development would be contrary to a previous appeal decision within a different LPA and detrimental to the living conditions of neighbouring residents in terms of noise and would be contrary to paragraph 135(f) of the NPPF.

Officer response: Noted, however this application has been assessed on its own merits.

- Impact upon privacy

Officer response: The impact upon privacy has been assessed under Section 3 of this report.

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: 2025/90023

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).

1. 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 of the Kirklees Local Plan, Policies 1, 2, & 12 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

2. Before the development is brought into use, a Noise Mitigation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any reasonable steps to mitigate noise. The approved scheme shall be implemented before the development is brought into use and retained thereafter.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

3. All doors and other openings shall be kept closed except in cases of emergency

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

4. The use hereby permitted shall not be open to customers outside the hours of:

0800hrs to 1800hrs Monday to Friday, and
0800hrs to 1400hrs Saturday

and there shall be no deliveries to, or dispatches from the premises outside these hours. No deliveries shall take place on Sundays or Bank Holidays.

Reason: To ensure that the proposed use does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

5. The dog grooming unit hereby approved shall only be operated by a permanent resident of 18 Meltham Road, Honley, Holmfirth HD9 6HX.

Reason: In the interest of highway safety to ensure that sufficient parking is provided for the host property and approved use and in the interests of residential amenity to ensure that adjacent occupiers are not adversely affected by the operation of the proposal, in accordance with Policies LP21, LP22 LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	22/01/2025
Site arrangement and location plan	PAD.220.739	-	22/01/2025
Application form	-	-	22/01/2025
Statement	-	-	22/01/2025

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 2024 and otherwise actively engaged with the applicant in dealing with the application. During the course of determining this application, officers sought agreement to the pre-commencement condition recommended by KC Environmental Health.

Report Dated:

28/03/2025

Low coal