# KIRKLEES METROPOLITAN COUNCIL
# INVESTMENT & REGENERATION SERVICE

## DEVELOPMENT MANAGEMENT

**Town and Country Planning Act 1990 (as amended) – SECTION 70**

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS**

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| Reference No: | **2025/62/90061/W** |
| Site Address: | 5, Boshaw Mews, Scholes, Holmfirth, HD9 1WB |
| Description: | Installation of first floor window and alterations |
| Recommending Officer: | Joshua Merriman |

**DECISION – Full Conditional 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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date: 04-Mar-2025**

**HOUSEHOLDER DELEGATED REPORT**

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|---|---|
| **Application Number** | 2025/90061 |
| **Location** | 5, Boshaw Mews, Scholes, Holmfirth, HD9 1WB. |
| **Proposal** | Installation of first floor window and alterations. |
| **Publicity end date** | 25/02/2025 |
| **Number of representations received** | 0 |
| **Kirklees Local Plan Allocation/Designation** | No allocation in the 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** | ✓ | |

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 2024
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed 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

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 9: Construction materials

Holme Valley Neighbourhood Development Plan (2021):

- Policy 1: Protecting and Enhancing the Landscape Character of the Holme Valey
- 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

| | **YES / NO** | **SUMMARY** |
|---|---|---|
| Negotiations/Amendments during course of application | No | |
| Parish/Town Council comments sought | Yes | Holme Valley Parish Council have been consulted regarding the application. They made no comment and deferred to officers. |
| Planning History | Yes | 90/03819 – Outline application for residential development – Refused.<br>- The site lies outside any area allocated for residential development and within a rural area shown as Open |

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| | | Land on the Holmfirth/Meltham Local Plan.<br><br>2017/91361 – Erection of 39 dwellings and associated landscaping – Section 106 Full Permission.<br><br>2017/93871 – Discharge of conditions 3, 6-10, and 12 on previous permission 2017/91361 for erection of 39 dwellings and associated landscaping - Discharge of Conditions Approved.<br><br>2018/91406 - Discharge of condition 4 (roof materials), condition 5 (boundary wall), 15 (lighting design), 17 (crime prevention), 18 (recharging point) and 20 (travel plan) on previous permission 2017/91361 for erection of 39 dwellings and associated landscaping – Discharge of Conditions Approved.<br><br>2018/91655 - Discharge condition 12 (Construction Method Statement) on previous permission 2017/91361 for erection of 39 dwelling and associated landscaping – Discharge of Conditions Approved.<br><br>2022/91496 - Certificate of lawfulness for proposed removal and installation of garage doors and installation of velux roof lights – Cert of Lawfulness Opps Refused.<br>- The proposed alterations are considered to be a development requiring planning permission.<br><br>2022/92433 – Erection of extension and alterations to existing garage to create home office/gym – Conditional Full Permission. |
| Consultations required | No | |

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**Design and Visual Amenity**:

*Summary of local street scene/character:*

5 Boshaw Mews is a two-storey detached property located in Scholes, Holmfirth. The property is faced in natural stone with a gable roofing form infilled with flat profile concrete tiles. Within the wider curtilage, the property benefits from hard-surfaced driveway amenity space to the front elevation, with a detached garage located to the south-east of the dwelling. In addition, garden amenity space is present to the rear elevation.

Within the wider streetscene, there is a strong sense of similarity established, with all of the properties located in Boshaw Mews sharing a similar style of design and construction, including being faced in matching exterior materials. This is a result of all of the properties being developed as part of the same housing development, granted planning approval in 2017.

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<br>• Policy LP24 Design (a) and (c) of the KLP<br>• Chapter 12 NPPF | Given the alterations to the application property being minute, and the proposed window matching those already existing in the building, it is considered that there will be no significant impact on the local character and street scene. | ✓ |
| Impact on original house | • KDP2 of the SPD<br>• Policy LP24 Design (c) and (d) of the KLP<br>• Chapter 12 of the NPPF | As the proposed window is set to match those already existing in the house, and the proposal will not increase the footprint of the original building, it is considered that there will be no significant impact on the original house. | ✓ |

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| Height, scale and massing | • KDP 1 and 2 of the SPD<br>• Policy LP24 Design (a), (c) and (d) of the KLP<br>• Chapter 12 of the NPPF | The proposal is subservient to the original building in terms of height, scale, and massing as the scale of the original house will not increase. | ✓ |
| Facing materials and detailing | • KDP 9 of the SPD<br>• Policy LP24 Design (d) (iii) of the KLP<br>• Chapter 12 of the NPPF | The proposed window will be white uPVC to match those existing in the property. | ✓ |
| Roof style | • KDP 1 and 2 of the SPD<br>• Policy LP24 Design (a), (c) and (d) of the KLP<br>• Chapter 12 of the NPPF | The plans do not involve any alterations to the roof of the dwelling. | ✓ |
| Window proportions | • KDP 1 and 2 of the SPD<br>• Policy LP24 Design (a), (c) and (d) of the KLP<br>• Chapter 12 of the NPPF | The window is proportionate to those existing in the house in terms of size and positioning. | ✓ |
| Accessibility for all users | • KDP 17of the SPD<br>• Policy LP24 Design (f)<br>• Chapter 12 of the NPPF | Private domestic extension – no alternate access arrangements required. | ✓ |

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:*

- 9, Boshaw Mews, Scholes, Holmfirth, HD9 1WB – Neighbouring property to the North West.
- 11, Boshaw Mews, Scholes, Holmfirth, HD9 1WB – Neighbouring property to the North.

- 12, Boshaw Mews, Scholes, Holmfirth, HD9 1WB – Neighbouring property to the North East.

| | **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<br>• Policy LP24 Design (d) (iv)<br>• Chapter 12 of the NPPF | As the new window is to be installed into the North East facing elevation of the application property, it is considered that there will be no significant impact on the privacy of neighbours as there are existing windows in the same elevation at a similar level, and the new window will service a non-habitable room. | ✓ |
| Impact on light and outlook of neighbours (to sides, rear and front) | • KDP 4, 5, 6 of the SPD<br>• Policy LP24 Design (b)<br>• Chapter 12 of the NPPF | As the proposal will not increase the footprint or scale of the property, it is considered that there will be no significant impact on light and outlook of neighbours. | ✓ |
| Remaining garden space of application property | • KDP 7 of the SPD<br>• Policy LP24 Design (b) and (c)<br>• Chapter 12 of the NPPF | The property will not lose any of its current garden space as the footprint of the dwelling will not increase as a result of the proposal, therefore the remaining garden space is deemed acceptable. | ✓ |

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** | **Further comments** | **✓ / X / N/A** |
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| | **the Kirklees Local Plan and the NPPF** | | |
| Impact on highway safety | • KDP 15 of the SPD<br>• Policy LP22 Parking (f) of the KLP<br>• Chapter 12 of the NPPF | As the proposal is located on a highway with little footfall (Boshaw Mews) and is only a limited change to an existing building, it is considered that there will be no significant impact on highway safety. | ✓ |
| Parking provision | • KDP 15 of the SPD<br>• Policy LP22 Parking (f) of the KLP<br>• Chapter 12 of the NPPF | The number of bedrooms at the property will not increase as a result of the alterations, and none of the current hard-standing parking area to the front of the house will be lost, therefore, the sites' parking provision is deemed acceptable to remain as current. | ✓ |
| Provision for waste storage | • KDP 16 of the SPD<br>• Policy LP24 Design (d) (iv)<br>• Chapter 12 of the NPPF | Although nothing specific is detailed in the submitted plans, the current waste storage provision for the property is acceptable to remain. | ✓ |

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** |
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| Impact on trees | • KDP 13 of the SPD<br>• Policy LP24 Design (d) (i) (iv) Policy LP33 Trees | The proposal is not close enough to have any significant impact upon trees. | ✓ |

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| | • Chapter 12 of the NPPF | | |
| Impact on ecology | • KDP 12 of the SPD<br>• Policy LP30<br>• Chapter 15 of the NPPF | The application site not located in an area of any ecological interest. | ✓ |
| Carbon Budget / Climate change statement | • KDP 8, 9, 10 & 11 of the SPD<br>• Policy LP51<br>• 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 | • KDP 14 of the SPD<br>• Policy LP24 (d) (vii), LP27 and LP34 of the KLP | 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, the SPD and the NPPF.

**Representations, including Parish/Town Council comments:**

| **Summary of Representation** | **Officer response** | Addressed ✓ / X / N/A |
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| Holme Valley Parish Council have been consulted but offered no comments on the application. | Noted. | ✓ |

<u>Conclusion</u>:

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

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**Decision Authorisation - Delegated Powers**
**Application Number**: 2025/90061
**Officer Recommendation**: Conditional Full Permission

**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 LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| Location Plan | - | - | 13/01/2025 |
| Grouped Plans and Elevations | 1653/1 | - | 13/01/2025 |
| Application Form | - | - | 13/01/2025 |

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 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:** 03/03/2025