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:	**2025/62/90944/W**
Site Address:	Land at, Station Road, Holmfirth, HD9 1AB
Description:	Installation of 50kwh charger with ancillary electrical equipment as part of a community charging installation (within a Conservation Area)
Recommending Officer:	Joanna Rednall

DECISION – REFUSED

I hereby authorise the refusal 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: 24th February 2026

The Site

The site is a small triangular section of land located along Station Road, which adjoins Back Lane. The site has a wall to the eastern boundary where the land level raises up to Back Lane. Surrounding the site are residential properties.

The site is located within Holmfirth Conservation Area, the Strategic Green Infrastructure Network, the River Holme Settled Valley Floor and is also within a Bat Alert area.

The Proposal

The applicant is seeking planning permission for the installation of a 50kwh charger with ancillary electrical equipment as part of a community charging installation (within a Conservation Area).

It is proposed to install one 50kwh charger at the site to serve 1 Electric Vehicle Charging Points (EVCPs) charging bay with ancillary electrical equipment. The unit is located to the east of the site (adjacent to Back Lane), and measures approximately 1.9 metres in height and 0.5 metres in width and is of a black colour finish.

History of Negotiations

Concerns were raised with the applicant's agent following the response from the Council's Highway team. No amended plans were submitted.

Planning History

Relevant planning history for this site is summarised as follows:-

> 2024/93000 - Certificate of lawfulness for existing use of land for the parking of vehicles (within a Conservation Area)
> *CERT OF LAWFUL USE GRANTED*
>
> 2024/93604 - Certificate of lawfulness for proposed installation of EV charging equipment (within a Conservation Area)
> *CERT OF LAWFUL OPPS REFUSED*
>
> 2025/92906 - Certificate of lawfulness for proposed installation of EVC bay (within a Conservation Area)
> *CERT OF LAWFUL OPPS REFUSED*

Publicity & Representations

This application has been publicised via a site notice and a press notice in accordance with the Council's adopted Development Management Charter

which incorporates the requirements of article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Final publicity date expired: 17th May 2025

2 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

- Installation of charger and guard bars will reduce already limited parking space.
- The works would likely force cars to park on the narrow pavement.
- Pavement is the only safe refuge for vulnerable pedestrians (e.g., bus users, visitors to nearby businesses).
- Location is a very busy crossroads.
- Additional short-term parking in this constrained area will increase risks to both road users and pedestrians.
- The site currently only fits small to medium cars; larger vehicles often extend into the road.
- Adding a charger would worsen the issue by further restricting space.

Holme Valley Parish Council – no comment. Defer to Kirklees officers.

The representations received from third parties are taken into account and addressed within the 'Assessment' section of this report.

Consultations

KC Conservation and Design: support the application.

KC Highways Development Management: object.

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).

The site is within a Strategic Green Infrastructure Network and the Conservation Area within the Kirklees Local Plan and also falls in proximity to known landfill sites, in an area with a known presence of bats and an area at lower risk of land instability as a result of former mining activity.

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)

LP 1 Achieving Sustainable Development
LP 2 Place Shaping
LP 21 Highway Safety
LP 22 Parking Provision
LP 24 Design
LP 26 Renewable and low carbon energy
LP 30 Biodiversity
LP 31 Strategic Green Infrastructure Network
LP 35 Historic Environment
LP 51 Protection and improvement of local air quality
LP 52 Protection and improvement of environmental quality

Holme Valley Neighbourhood Development Plan

The site is within Landscape Character Area no.4 (River Holme Settled Valley Floor).

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
Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

Supplementary Documents

Kirklees Highway Design Guide (November 2019)

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: -

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
Chapter16	– Conserving and enhancing the historic environment

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.

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas.

Assessment

1 – Principle of development:

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”.

In this case, the principle of development in this application is considered to be acceptable on the basis all other relevant material considerations are satisfied. This is discussed in greater length in the following report.

2 – Impact upon visual amenity & Historic Environment

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 d), v) sets out that good design incorporates sustainability through, *'providing charging points to encourage the use of electric and low emission vehicles'.*

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 River Holme Settled Valley Floor (LCA4).

One key characteristic of the area is 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.

- 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.

Key built characteristic 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.

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.

When considering the potential cumulative impacts of the proposed unit and street furniture, this can lead to a visual clutter. In the case of the proposed development, the placement of the charging unit within an existing car park is considered contextually appropriate and not uncommon, particularly given the increasing demand for sustainable transport infrastructure in public and semi-public spaces.

The unit would be discreetly located and partially screened by the existing retaining wall adjoining Station Road, which would help to reduce its prominence when viewed from the public realm along this road. Although the unit will be visible when approaching from Back Lane, the relatively modest scale of the installation would limit its visual intrusiveness. Furthermore, the proposed black colour finish is sympathetic to the surrounding environment and would assist in visually blending the unit into its setting, thereby reducing any potential harm to the visual amenities of the area.

Overall, the proposed charging point is not expected to result in significant visual disruption or harm. Officers consider the development would represent a modest and in-keeping addition that aligns with broader environmental goals by supporting the use of electric vehicles. Its placement within the car park, combined with design measures to mitigate visual impact, ensures that the development is compatible with the surrounding context and does not adversely affect the character of the area.

Impact upon historic environment

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the development on their significance (NPPF Paragraph 212). At paragraphs 212 – 215 the NPPF is clear, that where development leads to substantial harm, this is necessary to achieve substantial public benefits that outweigh that harm, where appropriate, securing its optimum viable use.

In this context, preservation means not harming the wider conservation area within which it is set. KC Conservation and Design have been informally consulted during the course of this application and have raised no objections.

Officers consider the discreet siting of the unit, behind the retaining wall adjoining Station Road, would not appear overly prominent and the black colour finish would assist it in blending into the landscape. Officers consider that any potential harm to the setting of the Conservation Area would be clearly outweighed by the public benefits an electric charging unit would provide in this case, including providing a low carbon refuelling service which will contribute towards reducing carbon emissions, and would contribute towards reducing the reliance on oil-based fossil fuels for road vehicles. It is therefore considered that the small-scale nature of the development in the discreet location would not cause harm to the significance of the Conservation Area, and the development would contribute towards the continued use of electric vehicles which is potentially beneficial to the environment.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 and LP35 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

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.

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 application site is largely surrounded by roads, though residential properties, (34 Station Road and 2 Back Lane) are located approximately 14 metres to the south. According to the supporting statement, the proposed EV charger utilises quiet-operation technology to minimise potential noise emissions. This, along with the separation distance from the nearest homes, is considered sufficient to mitigate any potential noise impacts. As a result, officers are satisfied that the development would not adversely affect residential amenity.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

The Council’s adopted Highway Design Guide, 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.

KC Highways Development Management were consulted during the assessment of the application. They raised concerns regarding the proposed parking bay, which would measure only 1.8m by 4.6m, and it is considered a bay of this size would not accommodate a standard vehicle without overhanging onto the adopted footway to the north-east of the site. As a result, any vehicle using the proposed charging point would obstruct the pedestrian route.

In correspondence dated 31 June 2025, the applicant's agent confirmed that, due to the extent of the red line boundary under the applicant's ownership, the site cannot demonstrate a parking space of sufficient size to meet the Council's minimum bay dimensions of 2.4m by 4.8m. Achieving the required dimensions would be necessary to ensure the parking space is set back from the adopted footway and does not impede pedestrian movement. The agent also suggested that the proposal would fall under permitted development rights. However, a Certificate of Lawfulness for the proposed installation of an EV charging bay at the site has since been refused (ref: 2025/92906). As such, officers cannot afford weight to a PD fallback position, and it is considered this does not outweigh the identified harm to pedestrian safety arising from the development.

The proposal would result in vehicles overhanging or parking on the footway, resulting in pedestrians diverting around parked vehicles and onto Station Road, a classified A Road. This would create an unacceptable hazard and would significantly compromise pedestrian safety. The development therefore conflicts with the Council's Highway Design Guide and Policies LP21 and LP22 of the Local Plan, which require pedestrian routes to be safe, unobstructed, and fit for purpose.

Due to the above reasons, it is therefore considered that in terms of highway and pedestrian safety, the proposed development would be contrary to the aims of the Highways Design Guide SPD, Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population.

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 nature of the proposed development, it is considered that the proposed development have a beneficial impact in relation to climate change. Notwithstanding this point, it is not considered this would outweigh the identified harm in relation to access and highway safety.

Strategic Green Infrastructure Network

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhances green infrastructure is provided / integrated into new developments. In addition, this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies within the Kirklees Local Plan policy LP31 sets out that the Council will support such development.

Given the nature and limited scale of the proposed development, it is not considered to conflict with the objectives of the Strategic Green Infrastructure Network or the aims of Policy LP31. As such, the proposal is deemed acceptable in this regard.

6 – Representations

The representations received in objection from third parties are taken into account and addressed within section 4 of this report. The representation received from the Parish Council is noted.

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 not constitute sustainable development and is therefore recommended for refusal.

Recommendation **REFUSE**

Decision Authorisation - Delegated Powers

Application Number: 2025/90944

Officer Recommendation: Refuse

Reason

1. The proposed installation of a 50kWh charger and associated electrical equipment would serve a parking bay of substandard dimensions, resulting in vehicles overhanging onto the adopted footway and obstructing the pedestrian route. The development would therefore result in harm to pedestrian movement and public safety and is contrary to the aims of the Highways Design Guide SPD, Policies LP21 and LP22 of the Kirklees Local Plan, and Chapter 9 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
SITE LOCATION PLAN	ZST-0000-01	B	03/04/2025
EXISTING LAYOUT	ZST-0000-02	B	03/04/2025
FINISHES PLAN	ZST-0000-12	B	03/04/2025
PROPOSED LAYOUT	ZST-0000-03	B	03/04/2025
SITE PROPOSED ELEVATION	ZST-0000-09	B	03/04/2025
RAPID CHARGE POINT ALPITRONIC HYC50 DETAILS	ZST-0000-07-01	C	03/04/2025
DUCTWORK LAYOUT	ZST-0500-03	B	03/04/2025
Planning Statement dated April 2025	-	-	03/04/2025
Application form	-	-	03/04/2025

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. Concerns were raised with the applicant's agent following the response from the Council's Highway team. No amended plans were submitted.