

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:	2025/62/91012/W
Site Address:	1, Mount View Road, Hepworth, Holmfirth, HD9 1JA
Description:	Alterations and extension to lower ground floor garage to extended living accommodation with terrace above and alterations
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-Jul-2025

Officer report

Site description

1 Mount View Road is an end of terrace dwelling located in the area of Hepworth. The building is two storey to the front and three storey to the rear with a garage at basement level. The building is constructed from coursed brick and pebble dash render. The property benefits from a small garden and driveway to the front. To the rear, the dwelling has a shared access and room for one parking space.

The site is situated within a predominately residential area and the site is unallocated on the Kirklees Local Plan.

Description of development

Planning permission is sought for alterations and an extension to lower ground floor garage to extended living accommodation with terrace above and alterations. The measurements of the proposal are as follows:

The rear extension will project 2.5m from the existing garage on the lower ground floor and will run the width of the house by 5.1m. The overall height of the extension will be 2.75m and will have a flat roof to accommodate the terrace above which will be the footprint of the below extension. This will have a glass balustrade which measures 1.1m facing to the rear and a 1.8m privacy screen to both side elevations.

The rear extension would be constructed from coursed brick and render and internally the works would create additional living accommodation whereby the garage would be replaced by a kitchen area and the extension would create a dining area.

History of negotiations/amendments sought

No amendments were sought.

Relevant Planning History

None at applicant property.

7 Mount View – property at the end of the same terrace to the southeast.

94/90389 – Erection of balcony – Conditional Full Permission.

2000/91337 – Erection of two storey side extension – Conditional Full Permission.

Representations

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via site notice which expired on 30th May 2025.

As a result of the above publicity, no representations have been received.

Holme Valley Parish Council – No Comment

Consultation response

None necessary.

Policy

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 Holme Valley Neighbourhood Development Plan.

The site is unallocated within the Kirklees Local Plan.

The site also falls within the Holme Valley Neighbourhood Development Plan area, and is within an associated landscape character area 7 – River Holme Wooded Valley.

Kirklees Local Plan

- LP 1 – Achieving Sustainable Development
- LP 2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity and Geodiversity
- LP51 – Protection and Improvement of Local Air Quality

Neighbourhood Development Plans:

- Holme Valley Neighbourhood Development Plan (2020-2031)

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan.

- 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
- Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

The application site is within Landscape Character Area 7, River Holme Wooded Valley.

The key landscape characteristics of the area are:

- Glimpsed views towards the wider landscape through gaps between built form.
- Views across the wooded valley floor from elevated vantage points such as from Christ Church New Mill and Holy Trinity Church Hepworth.
- Stone boundary walls are common features.
- A network of Public Rights of Way (PRoW) crosses the landscape including a section of the Barnsley Boundary Walk, the Kirklees Way and the Holme Valley Circular Walk.

The key built characteristic of the area are:

- Settlements characterised by a close association between built form and landscape.
- Industrial heritage features such as weirs and mill buildings.
- Mounds and hollows, which are the remains of shallow tunnels created for coal mining, as well as piles of shale material and the remains of plateways (flat stones laid across fields to assist with vehicle movement), are also found across the moorland and fields.

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, 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.

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision-Making
- Chapter 12 – Achieving Well-Designed Places
- Chapter 14 – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- Chapter 15 – Conserving and Enhancing the Natural Environment

Supplementary Planning Documents / guidance

House Extensions & Alterations SPD (adopted June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.

Assessment

1. Principle of development

NPPF Paragraph 11 and LP1 outline a presumption in favor of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal.

Paragraph 11 concludes that the presumption in favor of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The site is without notation in the Local Plan, therefore, the principle of the development could be acceptable. However, the principle of the development is subject to other material considerations which shall be assessed below.

2. Impact on visual amenity

Policy 1 of the Holme Valley Neighbourhood Development Plan (HVNDP) sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA 7, detailed in the 'Policies' section of this report)

Policy 2 of the HVNDP 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.

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'*.

With regard to the House Extensions and Alterations SPD, Key Design Principles 1 and 2 are relevant which state:

- Principle 1 - that *“extensions and alterations to residential properties should be in keeping with the appearance, scale, design, and local character of the area and the street scene.”*

- Principle 2 - that *“extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.”*

Section 5 of the House Extensions and Alterations SPD also provides guidance for specific types of extensions and alterations which will be referred to.

Single storey rear extension

Section 5.1 of the SPD relates to rear extensions and Paragraphs 5.1 to 5.2 state the following:

“Rear extensions should maintain the quality of the residential environment and relate well to the neighbouring buildings. Rear extensions should generally not be visible from the street and should retain a reasonable living environment for the property being extended. This should include consideration of the following:

- *Preserving a back garden of a reasonable size, with a general principle that at least half the garden area is retained;*
- *Being set behind the original building, and not projecting beyond the sides;*
- and*
- *Maintaining external access to the rear garden.*

As a general rule, a rear extension should:

- *respect the original house and garden in terms of its size and scale;*
- *use appropriate materials which match or are similar in appearance to the original house; and*
- *not have an adverse impact by way of overshadowing or loss of outlook of neighbouring properties.”*

Paragraphs 5.5 and 5.6 of the SPD relate specifically to single storey rear extensions and state the following:

“Single storey rear extensions can have an adverse impact on neighbouring properties and gardens. Careful consideration should therefore be given to the design of these extensions to ensure their height and windows do not harm the privacy of neighbours. Generally, single storey rear extensions should:

- *be in keeping with the scale and style of the original house;*
- *not normally cover more than half the total area around the original house (including previous extensions and outbuildings);*
- *not exceed 4 metres in height;*

- *not project out more than 3 metres from the rear wall of the original house for semi-detached and terraces houses or by 4 metres for detached properties;*
- *where they exceed 3m in length the eaves height should generally not exceed 2.5 meters;*
- *retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge.*

In this case, it is considered that the rear extension would be proportionate to the size of the original house and garden and would not result in more than 50% of the total area of garden being developed. Whilst the lower ground floor element would be built up to the boundary due to its positioning at the lower ground floor level it would not be adjacent to any existing openings, as it is at basement level. It would instead be separated from the adjacent garage by an external stairway. Therefore, there would be no detrimental impact upon neighbouring amenity. This will be explored further in the residential amenity section of the report.

Therefore, on balance, officers can accept the extension being built up to the boundary and the projection of 2.5m of the lower ground floor level as it is considered sufficient enough to prevent the extension from appearing cramped within the site.

Materials for the extension also consist of brick and render, which would help the extension harmonise with the existing dwelling, a condition to ensure appropriate materials of construction are used is recommended for inclusion upon any grant of permission.

Section 5.5 of the SPD related to balconies and roof terraces. It states that balconies and roof terraces on existing buildings should not negatively affect neighbouring properties or alter the local character of the area. Balconies and roof terraces should be:

- Positioned, and screened if required, so that they do not overlook neighbouring homes or gardens.
- Sited away from locations that are sensitive to additional noise levels or disruption.

In this instance the design uses glass balustrades including the addition of a privacy screen to the side elevations which minimise the impact to neighbouring properties. Balconies can be seen as a feature of the locality with No.7 having a balcony and therefore this would not significantly affect the local character of the area.

Therefore, in summary, it has been considered that the rear extension and terrace would protect the character and appearance of the host dwelling and wider area, to accord with Policy LP24 of the KLP, Principles 1 and 2 of the Holme Valley Neighbourhood Development Plan, Principles 1 and 2 of the SPD and Chapter 12 of the NPPF.

3. Impact on residential amenity

Policy 2 of the HVNDP 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.

Section B and C of LP24 states 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 National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Principle 3 of the Kirklees Householder Extensions and Alterations SPD sets out that extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours. In addition, Principle 4 notes that extensions and alterations should consider the design and layout of habitable and non-habitable rooms to reduce conflict between neighbouring properties relating to privacy, light and outlook. Furthermore, Principle 5 states that extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property and recommends that a horizontal 45 degree line from a neighbouring habitable room window is not breached. Principle 6 states extensions and alterations should not unduly reduce the outlook from a neighbouring property.

The impact of the development on each of the surrounding properties will be assessed in turn.

No.3 Mount View Road

3 Mount View Road is the attached property to the south east of the application site. It has been assessed that there would be some additional impact upon these neighbour's amenity as a result of the development proposed.

However, with regards to the rear extension, officers have noted that the lower ground floor element would be adjacent to this neighbour's external stairway and would be screened. Therefore, officers are satisfied that there would be no undue overbearing/overshadowing or overlooking from the lower element of this extension.

Whilst the balcony at first floor level would be located on the shared boundary, there would be a privacy screen to prevent undue overlooking. In addition, it is considered that a balcony used for residential purposes in a residential area would unlikely result in undue disturbance to neighbouring properties. With regards to overshadowing/overbearing the privacy screen would also be somewhat screened by the block steps at No.3 with the privacy screen only

extending ~0.8m above this with the closest opening being an entrance door. Therefore, it is considered that this property would not be significantly impacted, when taking into account the height and siting of the privacy screen. The proposal is therefore concluded to have an acceptable impact upon the amenity of the occupiers of no.3.

No. 20 and 22 Butt Lane

These properties are located to the north of the application site. Due to the orientation of the properties the rear of No.20 and 22 face onto the side of the applicant property

Due to the location of the single storey rear extension, there would be a separation distance of 16m to the properties themselves. As such, officers are satisfied that there would be no material overbearing, overshadowing, as a result of the bulk and massing proposed. The additional lower ground floor projection would also be obscured by the large mature hedge surrounding the row of terraces.

With regards to overlooking, given the separation distance and the privacy screen to be installed to the side elevation it is considered there would be no undue overlooking as a result of the development.

16 Hill Side Avenue

The proposal faces the side of no.16. It is considered the development does not significantly increase the level of overlooking of the row of terraced properties to no.16, which features one opening in the side elevation. Refusal on such a basis is not, therefore, considered to be reasonable considering the existing levels of overlooking and the limited number of openings in the side of no.16.

The proposal is of a size and scale which would not lead to an unduly oppressive / overbearing impact to this property and the proposal is concluded to be acceptable in this regard given the single storey, flat roof design and the limited scale of the screening to the terrace.

Overall, it has been considered that the impact on amenity is acceptable and therefore the proposal is considered to comply with LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF in respect of residential amenity, as well as Principles 3-7 of the Council's adopted House Extension and Alterations SPD.

4. Impact on highway safety

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking.

Principle 15 of the House Extensions and Alterations SPD states that extensions and alterations should maintain appropriate access and off-street 'in curtilage' parking. With Principle 16 going on to say that proposals should maintain appropriate storage arrangements for waste.

In this case, K.C. Highways were informally consulted about this application as the garage space would be taken up and the parking space to the rear would no longer be useable due to the extension.

They considered that, on balance, the development is acceptable due to the internal measurements of the garage being below the minimum internal dimensions for a garage and substandard for a modern car. It is also noted that the number of bedrooms would not increase and it is considered that adequate off-road parking would be available at the application property with two spaces created to the rear of the property in front of the extension.

This was concluded as a result of plans which evidenced that two parking spaces could be provided to the rear of the existing property with some removal of landscaping. Whilst it is noted some level of manoeuvres for vehicles to access these spaces would be required, and potentially a reversing manoeuvre of 25m to access the highway it is considered that the spaces would be usable and refusal on grounds of the ability to use off street parking arrangements set out in the submitted plans could not be substantiated in this case, taking account of the usability of the existing arrangements / garage space.

Bin storage and collection points are also to remain as existing.

For the aforementioned reasons it is concluded that the scheme does not lead to any significant harm in terms of highway safety and as such complies with Local Plan Policies LP21 and LP22, Principles 15 and 16 of the House Extensions and Alterations SPD and Chapter 9 within 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 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.

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. Policy 12 of the Holme Valley Neighbourhood Development Plan seeks to ensure that energy efficient designs are used in all new buildings.

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.

In this case, the development is for a small-scale domestic development to an existing dwelling and therefore no additional measures have been required. Nonetheless, a climate change statement has been submitted as part of this application.

Biodiversity

Paragraphs 174, 180, 181 and 182 of 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.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

Principle 12 of the House Extensions and Alterations SPD states that extensions should consider how they might contribute towards the enhancement of the natural environment and biodiversity. 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.

Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and tie into the rear elevation of a relatively modern brick built property. It is therefore considered unlikely that the proposals would have an impact on the bat population. An informative is recommended however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

There are no other matters for consideration.

6. Representations

None received as a result of the above publicity.

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 proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve.

Decision Authorisation: Delegated Powers

Application Number: 2025/91012

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 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 with Policies LP1, LP2, LP21, LP22, LP24 and LP30 of the Kirklees Local Plan, Principles 1 and 2 of the Holme Valley Neighbourhood Development Plan, Principles within the Council's House Extensions and Alterations SPD and the National Planning Policy Framework.

3. The 1.8m high privacy screen as shown on the northeast and southwest side elevations of the balcony hereby approved on submitted plan DRG No. 298-25-PL02 shall be installed to the side elevations of the balcony as shown on that plan, before the balcony is first brought into use. The 1.8m high privacy screens shall thereafter be retained.

Reason: In the interests of residential amenity and to accord with Policy LP24b of the Kirklees Local Plan, Key Design Principle 3 of the House Extensions and Alterations Supplementary Planning Document, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan and policies Chapter 12 of the National Planning Policy Framework.

4. The coursed brickwork used in the construction of the development hereby approved shall, in all respects, match that used in the construction of the existing building. The render used in the construction of the development hereby approved shall be of a colour finish to match that of the existing building. The external materials of construction and colour finishes shall be completed prior to the development being brought into use and retained thereafter.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 and 2 of the 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.

NOTE: The site is located within the Kirklees Bat Alert Layer and there is an increased potential for roosting bats. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It is an offence for anyone 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	Date Received
Location plan	299-25-PL03RevA	29/04/2025
Existing plans	298-25-PL01RevA	29/04/2025
Proposed plans	298-25-PL02RevA	29/04/2025
Application form	-	30/04/2025
Climate change statement	-	29/04/2025

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 Planning 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. No amended plans were sought in the processing of this application.

Report Dated: 30th June 2025