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:	**2025/62/92082/W**
Site Address:	Windycroft, New Mill Road, Holmfirth, HD9 7LN
Description:	Change of use from garage to holiday let and erection of extension with associated alterations
Recommending Officer:	Molly Storer

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: 29-SEP-2025

Officer Report

Site Description:

The application site relates to Windycroft, a two storey, brick built property located in the area of Holmfirth.

The property benefits from a detached garage to the northeast of the property adjacent to the front driveway. It also has a large garden to the rear with views over the valley. The site is set within a cul-de-sac residential area that is accessed from an access road off from New Mill Road. The properties differ in design and style although share a similar traditional appearance being predominantly constructed in stone and render with hipped and gabled roofs.

Description of Proposal:

The application seeks planning permission for the change of use of an existing garage to holiday let and erection of extension with associated alterations.

The proposals seek to convert an existing single storey structure located to the front of the site, to the northwest of Windycroft. The garage was previously used for storage. The extension will be adjoined to the west (side) of the original garage and will measure 6.6m x 3.8m. This will create a structure with two adjoined gable roofs with a height to the eaves of 2.2m and an overall height of 3.8m. The holiday let will comprise of an open space living, dining and kitchen area, a shower room and a bedroom. There will also be a parking space made available to the front of the holiday let.

The building is constructed from brickwork to match existing, with a profiled metal sheet roof.

History of negotiations/amendments received

None.

Relevant Planning History

None.

Representations

This application was advertised via a site notice.

Final publicity date expires:

Neighbour Letters – Expired 29th August 2025.

One objection was received this is summarised below:

Inappropriate Design and Overdevelopment

- Overdevelopment of the plot and therefore not sympathetic to the area.
- Scale is out of keeping with neighbouring properties.

Adverse Impacts on Residential Amenity

- Increased noise to neighbouring properties.

Boundary Wall and Amenity Concerns

- Garage forms a boundary wall with neighbouring property any extension would take place directly against the boundary.
- This will result in loss of privacy.

Parking and highway safety

- Converting and extending the garage removes an existing off-street parking space.
- The holiday let would increase vehicle numbers.
- This will create congestion and potential safety risks.

Heritage and Conservation Impact

- The development would be an unsympathetic development, harming the character and setting of a Conservation Area.

Precedent and Community Impact

- The development would set an undesirable precedent for converting outbuildings into commercial holiday lets, undermining the residential character of Holmfirth.

These will be discussed further in the representations section of the report.

Consultation Responses

No consultations required

Parish/Town Council Comments

Holme Valley Parish Council – Defer to Kirklees Officers but Councillrs wish to note this application has a poor climate change statement.

Planning Policy Background

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 application site is u the unallocated on the Kirklees Local Plan but is located within Landscape Area 4 in the Holme Valley Neighbourhood Development Plan - River Holme Settled Valley Floor.

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

Kirklees Local Plan (LP):

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP7 – Efficient and Effective Use of Land
- LP21 – Highways and Access
- LP22 – Parking
- LP24 – Design
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and Improvement of Environmental Quality

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.

The policies contained within Holme Valley Neighbourhood Development Plan relevant to the consideration of this application are as follows:

Policy 1: Protecting and Enhancing the Landscape Character of Holme Valley.

"Overall, proposals should aim to make a positive contribution to the quality of the natural environment".

Policy 2: Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.

"Proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings" and [proposals] "should protect and enhance local built character and distinctiveness and avoid any harm to heritage assets…".

Policy 7: Supporting Economic Activity

"Proposals will be supported which result in the creation or sustainable expansion of existing and new businesses".

Policy 11: Improving Transport, Accessibility and Local Infrastructure.

"New development…should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (Parking) and the Council's latest guidance on highways design".

Policy 12: Promoting Sustainability.

"All new buildings should aim to meet a high level of sustainable, design and construction and be optimised for energy efficiency, targeting zero carbon emissions".

Policy 13: Protecting Wildlife and Securing Biodiversity Net Gain.

"All development proposals should demonstrate how biodiversity will be protected and enhanced".

It is important to note that the application site is within Landscape Character Area 4, this being the 'River Holme Settled Valley Floor.

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 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. Most specifically in this instance, the below chapters are of most relevance:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 6 – Building a strong and competitive economy
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- 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

Other Guidance Documents:

- Kirklees Highways Design Guide (2019)
- Kirklees Waste Management Design Guide for New Developments (2020)
- Biodiversity Net Gain in Kirklees Technical Advice Note (2021)
- Kirklees Climate Change Guidance for Planning Applications (2021)

- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- MHCLG: National Design Guide

Summary of Principal Planning Issues

The following matters are considered in the assessment below –

1) Principle of development
2) Visual amenity
3) residential amenity
4) Impact on highway safety
5) Other matters
6) Conclusion

1 – Principle of Development

Sustainable Development:

NPPF Paragraph 11 and LP1 outline a presumption in favour 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 favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The proposal would provide accommodation for tourists in the locality and district as a whole, which would have a small scale beneficial impact in this regard in terms of the local economy through providing a tourist offer which acts as a draw to the district contributing to economic benefits associated with tourism.

It is considered that on the basis the proposal is considered acceptable in respect of all other relevant considerations (discussed within the following sections of this report) the proposal would meet the requirements of the aforementioned policies and be a tourism related development that would have a beneficial impact in this regard.

The above conclusion is drawn on the basis the use is for occupants on a short term let basis and a condition to ensure this is the case would be included for the avoidance of doubt and to ensure the tourist offer / wider benefits resulting from the change of use.

2 – Impact on Visual Amenity

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'*

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), River Holme Settled Valley Floor (LCA4).

Policy 2 of the HVNDP states that "*proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings" and [proposals] "should protect and enhance local built character and distinctiveness and avoid any harm to heritage assets…".*

Paragraph 5.6 of the Kirklees Council extensions and alterations SPD relates specifically to outbuildings and states:

Outbuildings, such as garden offices, detached garages and granny annexes, can have as much of an impact on the appearance of the building as any other extension. Wherever possible these should reflect the style, shape and architectural features of the existing house and not be detrimental to the space around the building.

Outbuildings should normally:

- be subservient in footprint and scale to the original building and its garden taking into account other extensions and existing outbuildings
- be set back behind the building line of the original building so that they do not impact on the street scene;
- preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and follow a general principle that no more than 50% of garden space should be lost

In terms of the outbuilding with the additional extension it is still considered that at single storey in height that the outbuilding would be subservient to the original building and would not take up more than 50% of the garden space. The outbuilding, although technically to the front of the property would be set well within the curtilage of the site with the large driveway separating the outbuilding from the highway. Due to the extensive boundary treatment and the large gates which the driveway is set behind the outbuilding will not be visible from public viewpoints.

In terms of materials on the property, the submitted plans show that the building is to be finished in brickwork to match the existing property, with profile metal sheeting to the roof. It is considered that these materials are sympathetic to, and reflective of surrounding buildings and the context of the area.

Furthermore, the proposed holiday let is to be simple in design, with two gable roofs, which is considered to be in keeping with adjacent residential properties and ensures that the proposals would not appear as an out of keeping addition within the landscape. Given the flat roof, overgrown nature of the existing building, the proposed holiday let is considered to be a visual improvement to the site.

In summary therefore, it has been concluded that the proposals would not have a significant impact upon the visual amenities of the locality. The proposed development is considered to comply with Chapter 12 of the NPPF, Policies LP2 and LP24 of the Kirklees Local Plan and Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan.

3 – Impact on Residential Amenity

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."

In addition, 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.

Policy 2 of the HVNDP also states that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers.

Impact on 1C Berry Banks House

This property is located to the east of the site. In terms of privacy there are no openings located in the rear or side elevation of the property which faces towards this property. The only proposed openings would either face onto the applicants own land or the applicants driveway. In terms of an overshadowing/overbearing impact, the garage would remain single storey in height with the additional development taking place to the opposite side of the existing garage and therefore the extension will be screened by the existing structure. Therefore, it is considered that there will be no significant increase to residential amenity than the existing situation on the boundary.

Impact on Banksgarth

This property is located to the southeast of the site. In terms of privacy although there will be openings within the front elevation of the outbuilding which faces in the direction of this property, they will be screened by the existing brick boundary wall and thick vegetation along the boundary. In terms of an any overbearing/overshadowing impact, the footprint of the extension will not protrude further towards this property and will maintain a separation distance of ~15m. Therefore, it is considered that there will be no significant increase to residential amenity than the existing situation on the boundary.

Chapter 15 of the NPPF sets out that proposals should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development Policy LP52 of the Kirklees Local Plan seeks to ensure that, amongst other things, the impact from noise for new development is acceptable.

Policy LP52 is considered to be of relevance and sets out that development which has the potential to increase pollution from noise must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level.

Given the location in which the proposed holiday let would be located, it is important to assess the potential for any noise or odour pollution. Whilst there would be a degree of noise associated with the operations, it is considered this impact would not be to a degree to warrant a reason for refusal in this case given the siting of the building and its intended use for short term lets.

In addition, it is noted the accommodation could likely not hold a significant number of guests due to the outbuilding only having one bedroom. However, if this were not to be restricted it could lead to excessive noise / disturbance as a result of volume of guests staying. Therefore, it is considered reasonable and proportionate for any approval to limit the maximum number of occupants to 4 persons. Furthermore, such a condition would ensure the development provides an acceptable standard of residential amenity for occupants of the proposal.

Given the holiday let use could see multiple occupants of the property, whilst an acceptable arrangement for a short term let basis it is considered it would not be a high standard of housing environment on a longer term basis if occupants of the building are reasonably high and therefore it is considered appropriate to require users of the building to be on a short term let basis. A condition ensuring this is the case (no more than 28 days) is recommended to be included upon any grant of permission.

In terms of external amenity space, it is considered that should 1 holiday let be provided on the site, the proposed garden space and patio area are likely to be appropriate in both size and location given their short-term use.

In conclusion, taking the above into account it is considered that the proposals would not result in significant and detrimental impacts on the privacy and amenity of the neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan, Policy 2 of the Holme Valley Neighbourhood Development Plan and Chapter 12 of the National Planning Policy Framework.

4- Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide, which seeks to ensure acceptable levels of off-street parking are retained, is also considered to be of relevance.

Policy 11 of the HVNDP states that new development should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (Parking) and the Council's latest guidance on highways design.

Plans show that the holiday let will have its own parking space with 2 remaining for the main property. However, it is noted that there is additional space on the driveway for more parking spaces and is therefore acceptable. In addition, the access and driveway are to remain as existing, and whilst no details have been provided in respect of waste, it is considered reasonable to assume that it would be incorporated into the existing arrangements used for waste collection for the site.

Taking the above assessment into consideration the proposals are deemed to be acceptable in relation to highway safety and would accord with policies LP21 and LP22 of the Kirklees Local Plan and Policy 11 of the Holme Valley Neighbourhood Development Plan.

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.

Considering the proposal relates to the change of use of an existing building, it is considered that the proposed development would not have an impact on

climate change that needs any further mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

Ecology:

A Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission for minor sites granted pursuant to an application submitted after 02 April 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicant has stated the application falls under the '*Di-Minimus'* exemption category within the application forms. A Therefore, in light of the submitted detail it is considered the application is exempt from a BNG uplift.

7 – Representations:

One representation was received this is summarised below:

Inappropriate Design and Overdevelopment

- Overdevelopment of the plot and therefore not sympathetic to the area.
- Scale is out of keeping with neighbouring properties.

Adverse Impacts on Residential Amenity

- Increased noise to neighbouring properties.

Boundary Wall and Amenity Concerns

- Garage forms a boundary wall with neighbouring property any extension would take place directly against the boundary.
- This will result in loss of privacy.

Parking and highway safety

- Converting and extending the garage removes an existing off-street parking space.
- The holiday let would increase vehicle numbers.
- This will create congestion and potential safety risks.

Heritage and Conservation Impact

- The development would be an unsympathetic development, harming the character and setting of a Conservation Area.

Precedent and Community Impact

- The development would set an undesirable precedent for converting outbuildings into commercial holiday lets, undermining the residential character of Holmfirth.

Officer note:

The proposal as a short term holiday let is considered to be acceptable due to the small scale nature of the building. However, conditions are recommeded to be attached should planning permisssion be approved to limit the number of guests at one time and a time restriction of the length of any stay. This is considered to mitigate any harm and there will be no issues on the residential character of the area due to the intended use.

In terms of the boundary wall, the proposed extension is proposed on the opposite side of the existing garage.

Impacts to visual and residential amenity have been discussed in the above report and are deemed acceptable. It is also noted that the property is not within and does not border a Conservation Area and the nearest Listed Building is located a significant distance away.

Matters in relation to highways and parking have been discussed in the above report and are deemed acceptable

6 – Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other materials considerations. It is considered that the development is acceptable and is therefore recommended for approval.

Recommendation: Approve.

Decision Authorisation: Delegated Decision

Application Number: 2025/92082

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 (as amended).

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
   Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP7, LP21, LP22, LP24, LP51 and LP52 of the Kirklees Local Plan, Policies 1, 2, 7, 11, 12 and 13 of the Holme Valley Neighbourhood Development Plan and Chapters 2, 4, 6, 9, 11, 12, 14 and 15 of the National Planning Policy Framework.

3. The use of the building, as a holiday let, hereby approved shall be let and occupied solely for the purposes of holiday accommodation and shall not be occupied as a main or principal place of residence. No person occupying any unit shall remain as an occupier for a continuous period of more than 28 days. Having vacated any holiday let no person shall return to occupy the 'holiday let' unit overnight until a minimum period of 14 days has elapsed.
   Reason: In the interests of residential amenity in accordance with Policies LP24 and LP52 of the Kirklees Local Plan and Policy within Chapter 12 of the National Planning Policy Framework.

4. The development hereby permitted shall be occupied by no more than 4 guests at any time.
   Reason: For the avoidance of doubt as to what is being permitted, in the interests of the amenity of the occupiers of the accommodation and the amenity of neighbouring occupiers and in the interests of highway safety to accord with policies LP22 & LP24 of the Kirklees Local Plan and Policies within Chapters 9 & 12 of the National Planning Policy Framework.

NOTE: Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a license. 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 found, then contact Natural England.

Plans and Specifications Schedule:

Plan Type	Reference	Version	Date Received
Location plan	2587-D-20-002	-	24/07/2025
Existing Site and Ground Floor Plans	2587-D-20-003	-	24/07/2025
Existing and	2587-D-20-004	-	24/07/2025

Proposed Elevations			
Proposed Site and Ground Floor Plans	2587-D-20-003	-	24/07/2025
Application form	-	-	24/07/2025
Climate change statement	-	-	24/07/2025

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 17th September 2025