

**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:	2025/62/92099/W
Site Address:	40, Lydgate Drive, New Mill, Holmfirth, HD9 1LW
Description:	Erection of porch, garage conversion and installation of air source heat pump
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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 10-Oct-2025

Officer Report

Site Description

The application site refers to 40, Lydgate Drive, New Mill, a semi-detached two storey property constructed from red brick, PVCu cladding, and roofed with concrete tiles. The site benefits from garden amenity space to the rear and a large driveway to the front. It also has an attached garage to the side.

The surrounding development is largely residential with properties of a similar age and style.

Description of Proposal

Planning permission is sought for the erection of porch, garage conversion and installation of air source heat pump.

The proposed ASHP would be located to the rear of the property along the rear elevation of the current garage.

The garage conversion would see the existing garage converted into a snug, shower room and utility. There would be no increase in footprint of this section of the property however the flat roof would be converted into a lean-to/gable roof.

The existing porch would be extended proposed to measure 2.7m x 1.8m and would form a gable roof with the garage conversion.

The height to the eaves of the converted garage/porch would be 2.3m with an overall height of 3.7m.

The description of proposed works sets out that the ASHP model would be a Toshiba MHP0506HT-E1.

Dimensions of ASHP:

- Width – 990mm
- Depth – 390mm
- Height – 910mm

History of Negotiations

None required.

Relevant Planning History

None.

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.

The application was advertised by neighbour letters, which expired on 3rd October 2025.

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

Holme Valley Parish Council – No comments.

Consultation Responses

None required.

Policy/Legislation

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).

The application site is unallocated within the Kirklees Local Plan. The site falls within the Holme Valley Neighbourhood Development Plan and is within an associated landscape character area 7 – River Holme Wooded Valley.

As such the following is considered to be relevant in the consideration of this application:

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP26 – Renewable and Low Carbon Energy
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and Improvement of Environmental Quality

Supplementary Planning Documents:

House Extensions and Alterations SPD: 2021

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.

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, together with Circulars, Parliamentary 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 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving Well-Designed Places
- Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15 – Conserving and Enhancing the Natural Environment

Legislation

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment.

The following matters will be considered as part of the assessment of the proposal:

- 1) Principle of Development
- 2) Impact on Visual Amenity
- 3) Impact on Residential Amenity
- 4) Impact on Highway Safety
- 5) Other Matters
- 6) Representations
- 7) Conclusion

1) Principle of Development

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes on to further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals 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 instance, it can be stated that the principle of development in this application could be acceptable, subject to the assessment of impacts on visual and residential amenity, as well as highway safety and any other impacts that may arise. These will be discussed below.

2) Impact on Visual Amenity

The NPPF offers guidance relating to design in chapter 12 (achieving well designed places) states *“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Paragraph 135 of the NPPF is of relevance, in particular the following parts:-

- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’*
- *‘c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’*

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 8, 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.

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

- *'a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...'*

Key Design Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality.

With specific regard to the proposed development the SPD states that in terms of front extensions:

In section 5.2 and the potential impact they could have on the character of the area and visual amenity. The SPD advises that front extensions will not normally be supported unless:

- The house is set well back from the pavement or is well screened; and
- The extension is small, subservient to the original building, well designed and would not harm the character of the original house or the area;
- The materials and design match the existing features of the original house
- The extension would not unreasonably affect the neighbouring properties.

In this instance the existing garage already extends to the front of the property and a flat roof canopy is located above the front door in line with the projecting garage. The porch would infill this space only extending slightly further than the existing canopy. The porch would be well set back from the pavement behind the existing driveway and would be constructed from matching materials. Therefore, this element of the proposal would be subservient to the existing property and is considered acceptable.

The garage would not see an increase in footprint. Although the proposal would alter the appearance of the front elevation of the dwelling this is considered to

harmonise with the original house due to it utilising matching materials and having a window which would match the height of other windows at the property. The proposal would also harmonise with the wider street scene due to many houses on the street converting the integral garage into a living space. The gable roof/lean to roof design of the porch/converted garage would remove the current unsympathetic flat roof design and would match that of the adjoining property creating a visually harmonious design.

With regards to the ASHP the size is not excessive considering the scale of the dwelling and the discrete siting proposed. It would be at a low level and located to the rear of the property away from public viewpoints.

The product information guide suggests that the ASHP would be white/grey in colour.

It should also be noted that, Policy LP26 of the Kirklees Local Plan established a general principle in favour of renewable and low carbon energy which weighs in favour of the proposal.

In summary, it has been concluded that the ASHP would be of a satisfactory design quality and would not cause material harm to the visual amenities of the locality. The proposed development is considered to comply with Chapter 12 of the NPPF, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan, LP2 and LP24 of the Kirklees Local Plan and Key Design Principles 1 and 2 of the House Extensions and Alterations SPD.

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.*”

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.

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.

Key Design Principles 3, 4, 5 and 6 of the Council’s adopted House Extensions & Alterations SPD seek to ensure development does not have a detrimental impact upon privacy of neighbouring occupiers, cause unacceptable levels of overshadowing or be unacceptably oppressive/overbearing.

The proposal would not materially reduce the extent of outdoor amenity space available at the property, in turn, appropriately complying with Key Design Principle 7 of the House Extensions and Alterations SPD.

The size and scale of the proposal and nature of the development is such that it would not be unduly oppressive / overbearing, lead to overshadowing or impact upon the privacy of neighbouring occupiers and accords with Principles 3, 4, 5 and 6.

Noise:

Policy LP52 is considered to be of relevance and sets out that development must be considered in relation to potential for increases from pollution, in this case the relevant possible increases could relate to noise, light & odour emissions. Specifically LP52 states the following:

'Proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution or to increase pollution to soil or where environmentally sensitive development would be subject to significant levels of pollution, 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 or have unacceptable impacts on the environment. Such developments which cannot incorporate suitable and sustainable mitigation measures which reduce pollution levels to an acceptable level to protect the quality of life and well-being of people or protect the environment will not be permitted. Where possible, all new development should improve the existing environment.'

Paragraph 191 of the NPPF, contained within Chapter 15, sets out that proposals should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. This is echoed within Kirklees Local Plan Policy LP24 which states that: -

'Proposals should provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary'

The property most likely to be affected by the garage conversion and porch is 42 Lydgate Drive. However, it is considered that privacy will not be impacted as there are no new windows proposed to the property and in any case glazing in the elevation facing No.42 would face onto a blank wall of No.42s garage conversion. The increased height as a result of the porch and garage conversion would have minimal impact due to the eaves height remaining the same and the gable roof sloping away from this property. Therefore it is

considered that the development would not have a significant impact to this neighbour.

It is considered that the properties most likely to be affected by the proposed ASHP are numbers 38 and 42 Lydgate Drive, the proposal suggests a separation distance from the proposed location of the air source heat pump and shared site boundary of approximately 8m between number 38 and the applicant site and 1.2m between number 42 and the applicant site.

Given the location within the curtilage of the host property and its size/scale, it is concluded that the installation of the ASHP would not result in any undue impacts of overbearing or overshadowing for the occupiers of the neighbouring property, and it would not detriment their neighbouring privacy in any way.

With regard to noise calculations, the agent confirmed that the ASHP would comply with the MCS Planning Standards and would therefore constitute permitted development. A condition will be attached to any grant of permission to ensure that the heat pump is installed in accordance with the noise standards set out in the document 'MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises'

For these reasons, the proposal is considered to have an acceptable impact on residential amenity, and subject to condition would accord with Chapters 12 and 15 of the NPPF, Policy 2 of the Holme Valley Neighbourhood Development Plan policies LP24 & LP52 of the Kirklees Local Plan.

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 and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

The proposed scheme would result in the loss of the existing garage, however would not alter the existing parking arrangements to the front of the site or access to and from the adjoining highway.

In turn, the proposal would appropriately accord with Chapter 9 of the NPPF, LP21 and LP22 of the Kirklees Local Plan and Key Design Principle 15 of the House Extensions and Alterations SPD.

5) Other Matters

Climate Change:

Principle 8 of the Kirklees House Extensions and Alterations SPD states that extensions and alterations should, where practicable, maximise energy efficiency. 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.

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.

In this case, the application is for an ASHP, which would provide a low carbon energy source which, in turn, would reduce the carbon footprint at the property. Therefore, the proposed development is considered to comply with Chapter 14 of the NPPF and Policies LP26 and LP51 of the Kirklees Local Plan.

6) Representations

No representations were received as a result of 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 development would constitute sustainable development and is therefore recommended for approval.

Recommendation:

Approve

Decision Authorisation: Delegated Powers

Application Number: 2025/92099

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 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, LP21, LP22, LP24, LP26, LP51 and LP52 of the Kirklees Local Plan, Principles of the Council's adopted House Extensions and Alterations SPD and policies within Chapters 2, 4, 12, 14, 15 of the National Planning Policy Framework.

3. The Air Source Heat Pump annotated upon drawing 316-25-PL02 RevB shall be installed in accordance with the noise standards set out in the document 'MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises' and retained as such thereafter.

Reason: To ensure the development has an acceptable impact as a result of noise emissions to accord with policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

Note: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	316-25-PL03 RevA	-	15/08/2025
Existing Floor Plan Elevations and Site Layout	316-25-PL01 RevA	-	15/08/2025
Proposed Floor Plan Elevations and Site Layout	316-25-PL02 RevB	-	15/08/2025
ASHP Specification	-	-	15/08/2025

Climate Change Statement	-	-	15/08/2025
Application form	-	-	15/08/2025

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: 6th October 2025