

**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:	<b>2025/62/92767/W</b>
Site Address:	66, Varley Road, Slaithwaite, Huddersfield, HD7 5HL
Description:	Demolition of existing garage and erection of attached garage with associated external works
Recommending Officer:	Morgan Braithwaite

**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.**

Emma Thompson

***AUTHORISED OFFICER***

**Date: 03-Dec-2025**

## OFFICER REPORT

### Site Description

66, Varley Road, Slaithwaite, Huddersfield, HD7 5HL is a three-storey terraced dwelling faced in stone. The property benefits from one off-street parking space in the form of an existing attached garage. Amenity space can be found to the side (east) and to the rear (north).

The dwellings which form the street scene are somewhat similar in scale, appearance and material palette. The area is predominantly residential with access to local amenities.

### Description of Proposal

The applicant seeks permission for the demolition of the existing garage and the erection of a detached garage with associated works. The existing garage projects 2.6m from the side (east) elevation of the application dwelling with a length of 4.3m, featuring a lean to roof with a maximum height of 2.7m.

The proposal would see the garage increase its projection from the side elevation to 4.1m with a length of 8m. The proposal would continue to feature a lean to roof, however, this shall also increase its maximum height to 4.1m.

The proposed materials match either the existing garage or the existing dwellinghouse. The existing garage is faced in a combination of brick and timber boarding with profiled steel sheets to the roof. Timber double doors are located in the principle elevation. The proposed materials would see the garage clad in timber boarding with blue slate roofing tiles to match the dwellinghouse. A steel roller shutter door shall replace the existing timber doors.

### History of Negotiations/Amendments

No negotiations or amendments have been requested as part of the planning process. The proposals are considered to be acceptable in their original form.

### Relevant Planning History

No relevant planning history noted at the address.

### Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice.

Final publicity date expired: 10<sup>th</sup> November 2025

No representations were received as a result of the publicity.

## Consultation Responses

No statutory consultations were requested for this application.

## 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). The site is unallocated on the Kirklees Local Plan. 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.

It is noted that the site is located within the Green Belt.

## Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP21** - Highways
- **LP 22** Parking
- **LP 24** – Design
- **LP57** – Extension, alteration or replacement within the Green Belt

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

## 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, and 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 12 – Achieving well-designed and beautiful places
- Chapter 13 – Protecting Green Belt Land

#### Supplementary Planning Guidance

- House Extensions and Alterations SPD (June 2021)
- Kirklees Local Plan (February 2019)

#### Legislation

The Town and Country Planning Act 1990 (as amended).

Section 38(6) of the Planning 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 are considered in the assessment below –

- 1) Principle of development
- 1) Impact on visual amenity
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters
- 5) Representations
- 6) Conditions
- 7) Conclusion

#### 1) Principle of development

The site is without notation of the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 NPPF. In terms of extending and making alterations to the property, Policy LP24 of the KLP is relevant, in conjunction with the House Extensions and Alterations SPD and Chapter 12 of the NPPF, regarding design. In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other planning considerations, including visual and residential amenity, as well as highway safety.

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”.

### *Green Belt*

LP57 of the KLP states that proposals for the extension, alteration or replacement of buildings in the Green Belt will usually be considered acceptable provided that in the case of replacement buildings, the new building must be in the same use as and not be materially larger than the building it is replacing. The proposal should not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access. The design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting.

Disproportionate additions will be deemed to be those where the original building is no longer the dominant element, and this will not be judged solely on whether the extension is visible from public vantage points does not make it acceptable as any built form impacts openness.

The proposed garage would be replacing an existing garage; however, the works would see a small increase in scale. While this increase would also see the ridge height of the garage rise, the impact on the openness of the Green Belt would be minimal. Furthermore, the proposal would not dominate the existing dwelling, nor would it materially detract from its Green Belt setting.

It is therefore considered that the proposal is acceptable in its relation to its Green Belt setting.

### 2) Impact on visual amenity

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 135 of the NPPF is also of relevance to the consideration of this application. Key Design Principles 1 and 2 of the Council’s adopted House Extensions & Alterations Supplementary Planning Document (SPD) seek to ensure development is subservient to the host property and in keeping with the character of the locality. Principle 7 of the House Extensions SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The applicant seeks approval for the demolition of an existing garage and the erection of a new garage with associated alterations. Outbuildings can have as much impact on the appearance of a building as any other extension. Where possible, outbuildings should reflect the style, shape and architectural features of the existing house and is not detrimental to the space surrounding the building.

The proposed garage would be subservient in footprint and scale to the host dwelling and its amenity space, where more than 50% of the space shall be retained. While the proposal is not set back from the building line of the original dwelling, it is following the footprint of the existing garage which sits flush with the principal elevation.

The materials used to construct the proposed garage match that of either the existing garage or the host dwelling, with the exception of the roller shutter doors.

Having taken the above into account, the proposed extension would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale, and layout and (c) as the extension would form a subservient addition to the property in keeping with the existing building.

### 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. 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 House Extensions and Alterations SPD sets out a number of design principles which will need to be considered when assessing a proposal's impact on residential amenity, which state:

- Principle 3 – that: “extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants, and neighbours”.
- Principle 4 – 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.”
- Principle 5 – that: “extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property”.
- Principle 6 – that: “extensions and alterations should not unduly reduce the outlook from a neighbouring property.”

The application property is an end of terrace property with no further neighbouring dwellings to its eastern elevation where the proposal is located. Furthermore, the proposal does not extend beyond the front or rear elevations. As such, no significant issues would arise from overlooking, overshadowing/loss of light or overbearing impacts.

In summary, the proposal would have no adverse impact upon the residential amenity of adjacent occupiers and would accord with Policy LP24 of the KLP and the Key Design Principles of the House Extensions and Alterations SPD.

### 4) Impact on highway safety

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. 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 development would increase the parking provision associated with the application property. No further bedrooms are to be added to the property. In accordance with the Council's SPD, dwellings with three bedrooms are expected to provide a minimum of two off-street spaces. As such, the proposal is regarded as having a positive impact on parking provision and highway safety.

It is therefore considered that in terms of access and highway safety/parking, the proposed would not comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and Chapter 9 of the National Planning Policy Framework.

## 5) Other matters

### *Carbon Budget*

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.

The proposal is a small-scale development to an existing dwelling. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

### *Bats*

The property is located within a Bat Alert layer in the council's GIS system. A note has been added advising of how to proceed should bats be encountered on site.

### *PROW*

It is noted that PROW COL/96/20 is located to the east of the application property. However, due to the separation distance between the property and the PROW, along with the minimal projection and height of the proposed garage, no detrimental impacts on the PROW are anticipated.

## 6) Representations

No representations were received as a result of site publicity. The proposal was advertised by site notice, with the public consultation period ending 10<sup>th</sup> November 2025.

#### 7) Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

#### 9) Conclusion

The application to demolish an existing garage and erect an attached garage with associated alterations at 66, Varley Road, Slaithwaite, Huddersfield, HD7 5HL has been assessed against relevant policies in the development plan as listed in the policy section of the report, the House Extensions and Alterations SPD, the National Planning Policy Framework and other material considerations.

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

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

**Recommendation                      CONDITIONAL FULL PERMISSION**

**Decision Authorisation – Delegated Powers**

**Application Number:** 2025/92767

**Officer Recommendation:** Conditional Full Permission

#### Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

**Reason:** For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The external facing and roofing materials of the extension hereby approved shall in all respects match those stated in the submitted plans and therefore retained.

**Reason:** In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions and Alterations SPD and the aims of chapter 12 of the National Planning Policy Framework.

**NOTE:** Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. 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.

**NOTE:** The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

**NOTE:** To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays

08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction/ sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

<b>Plan Type</b>	<b>Plan Reference</b>	<b>Web ID</b>	<b>Date Received</b>
<b>Grouped Plans and Elevations</b>	Existing Plans and Elevations	1108354	08/09/2025
<b>Grouped Plans and Elevations</b>	Proposed Plans and Elevations	1108355	08/09/2025
<b>General</b>	Climate Change Statement	1108356	08/09/2025

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 2015 and otherwise actively engaged with the applicant in dealing with the application.

No alterations have been sought since submission as the proposals were considered to be acceptable in their original form.

Report Dated: 01/12/2025