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:	**2026/62/90467/W**
Site Address:	Chapel House, 2, Chapelgate, Scholes, Holmfirth, HD9 1SX
Description:	Change of use of outbuilding for holiday let use, ancillary to no 2 Chapelgate
Recommending Officer:	Joanna Rednall

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: 7th May 2026

The Site

Chapel House is a detached two-storey dwelling located in Scholes, Holmfirth. The site comprises the main dwellinghouse and a detached garage positioned to the south-west of the property, both constructed in traditional stone with pitched roofs. A driveway access is to the front of the garage, and the plot is enclosed by a lawned garden extending to the side and rear.

The property sits within a residential area where surrounding development predominantly consists of detached and semi detached dwellings.

The site is situated approximately 50 metres from designated Green Belt land. It does not fall within a Conservation Area, and there are no Listed Buildings in the immediate vicinity.

The Proposal

The applicant is seeking planning permission for change of use of the existing outbuilding for holiday let use, ancillary to no 2 Chapelgate.

No external alterations are proposed as part of the scheme.

The ground floor would remain in use as a garage, while the first floor would accommodate an open-plan kitchen, living and bedroom, together with a separate shower room.

History of Negotiations

Further information was requested regarding parking arrangements. Revised plans were submitted on 20 April, and these were considered acceptable. The application has therefore been progressed on the basis of the updated details.

Planning History

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

2006/95383: Erection of ground floor extensions and detached garage with office over – conditional full permission

Publicity & 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: 1 May 2026
Holme Valley Parish Council have stated they have no comment to make.

Consultations

KC Highways Development Management: raised concerns about how parking arrangements would function for both the host property and the holiday let, further plans have been submitted setting out parking arrangements, these matters are addressed in further detail within the 'Assessment' section of this report.

Allocation & Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

The site is unallocated although does fall within landscape character area no.8 (Settled Slopes of the Holme Valley) within the Holme Valley Neighbourhood Development Plan. The site is in an area with a known presence of bats. The site is in an area identified as being at lower risk of ground movement as a result of former mining activity.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

LP1 Achieving Sustainable Development
LP2 Place Shaping
LP21 Highway Safety
LP22 Parking Provision
LP24 Design
LP30 Biodiversity

Holme Valley Neighbourhood Development Plan

The following policies of this plan are considered most relevant:

Policy 1 – Protecting and Enhancing the Landscape Character of the Holme Valley
Policy 2 – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
Policy 12 – Promoting Sustainability
Policy 13 – Protecting Wildlife and Securing Biodiversity Net Gain

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS)

first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16th December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Considered to be of relevance to the consideration of this application are policies within the following chapters: -

Chapter 2 – Achieving sustainable development
Chapter 9 – Promoting sustainable transport
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Guidance

Kirklees Highway Design Guide (November 2019)

Legislation

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

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

Assessment

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

> *The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local

Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

In this case, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon 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.
Policy 1 of the Holme Valley Neighbourhood Plan HVNP sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA).

Policy 2 of the HVNP states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting. Furthermore this policy sets out that development should sit in with and neither dominate or have a detrimental; impact on its surroundings and neighbouring properties.

The application site is within Landscape Character Area 8 - Settled Slopes of the Holme Valley.
Key landscape characteristic of the area are

- Strong rural setting and agricultural character with pastoral farmland on the rising valley slopes.
- There is a strong connection to the surrounding rural landscape from long distance and panoramic views over the wooded valley floor to the opposing valley sides as well as glimpsed views of the rural backdrop through gaps between the built form, especially within Totties and Scholes.
- Stone walls and hedgerows form field boundaries and line single lane roads.
- Short sections of the Kirklees Way, the Barnsley Boundary Walk and the Holme Valley Circular Walk cross the area. A short section of National Cycle Route no. 627 also crosses the north-east of the area.

Key built characteristic of the area are

- Older settlements are characterised by their agricultural and industrial past and there are isolated farmsteads on the valley slopes.

- Scholes and Wooldale are the largest of the settlements and contain some services and older and more modern development.
- Vernacular building materials include millstone grit walls with grey slate roofs.

The application seeks permission for the change of use of an existing outbuilding to a holiday let, ancillary to No. 2 Chapelgate. The submitted plans confirm that no external alterations are proposed, with all changes relating solely to the internal use of the building. The holiday accommodation would utilise the existing doors, windows and rooflights, and no additional openings are proposed. As a result, the proposal would not give rise to any visual impact beyond the current appearance of the building on site.

It is therefore considered that in terms of visual amenity, the proposed would comply with the aforementioned policies.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers.

Policy 2 of the HVNP sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

The proposal seeks to use the building on a short-term let basis. The level of accommodation provided is limited, particularly when considering access and amenity space and the space provided internally. As the accommodation under assessment is being sought for use as a holiday let it is considered appropriate to restrict the use of the building to a maximum stay of 28 days. This limitation ensures the property is used for short-term lets that contribute to the local tourist offering, while also protecting the amenity of occupants of the building. furthermore, it is considered appropriate to include a condition to ensure the use of the holiday let is in conjunction with the dwelling at site and not disaggregated given the proposed use would require the shared use of a number of areas such as parking, amenity space and also utilising waste storage / collection facilities.

There would be no external alterations to the building, and no additional openings are proposed. The outbuilding is positioned at a sufficient distance from neighbouring properties to ensure that the existing rooflights and front-facing window would not result in harmful overlooking.

It is therefore considered that in terms of residential amenity, on the basis of the inclusion of the recommended conditions to ensure the use is in accordance with that as applied for, the proposal would comply with Policy

LP24 of the Kirklees Local Plan, and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

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 seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

KC Highways Development Management were verbally consulted on the proposal and initially raised concerns regarding the level of parking provision on the site. It was noted that a minimum of three spaces would be required to serve the host dwelling, with a further space needed to accommodate the proposed holiday let. In response, the applicant submitted a revised parking plan on 20 April, demonstrating provision for four parking spaces arranged in a two-by-two layout.

Officers consider the revised parking arrangement to be acceptable. The modest scale and nature of the proposed holiday let are not expected to generate a significant increase in parking demand, and the provision of four on-site spaces is considered sufficient to serve both the host dwelling and the holiday accommodation. In circumstances where a vehicle may be unable to access or manoeuvre within the site, occasional on-street parking is available. The use of on-street parking in such instances is not considered to result in unacceptable harm to highway safety or parking provision.

Chapelgate does not benefit from any parking restrictions and already accommodates a degree of on-street parking. The site is located within a residential area where on-street parking is a typical and while reliance on on-street parking is not always encouraged, in this case, and on balance, KC Highways consider that the proposal would not give rise to unacceptable highway impacts.

With regard to waste management, the applicant has confirmed that visitors would utilise the existing household bins. Given that the proposal represents a small-scale use, KC Highways Development Management have raised no concerns with this arrangement.

To ensure the use operates in accordance with that as set out, and in conjunction with the existing dwelling a condition would be included to ensure this is the case. It is considered disaggregating the two uses would lead to separate waste collection / parking facilities being required which would need to be given further consideration. As such it is considered necessary to include a condition requiring the use to be in connection with the existing dwelling.

It is therefore considered that in terms of access and highway safety / parking the proposed would comply with the aforementioned policies.

5 – Other matters:

Ecology

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

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

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site lies within an identified bat alert area, no external alterations are proposed as part of the development. As such, officers do not consider it necessary to attach a bat informative to the decision.

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. Therefore, in light of the submitted detail it is considered the application is exempt from a BNG uplift. Whilst the site is in a location with a known presence of bats, the proposal is to convert existing usable space and it is considered unlikely there would be roosting bats encountered as part of the proposal. An informative note shall be included upon any decision advising of the requirements in law should bats be encountered. As such it is considered that, subject to informative note, the development is acceptable in this regard.

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability

of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application which sets out an intention to utilise solar panels which would assist in reducing the carbon footprint of the develpoment.

6 – Representations:

None received

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: 2026/90467

Officer Recommendation: Approve

Conditions

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 to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Policies 1, 2, 12 & 13 of the Holme Valley Neighbourhood Development Plan and Policies within Chapters 2, 9, 12 and 14 of the

National Planning Policy Framework

3. The development hereby permitted shall be occupied by, or let to, the same person for a continuous period of time not exceeding 28 days with a requirement to have a minimum of 14 days no return between bookings for the same person and shall not be occupied by any person(s) as their sole or main place of residence
Reason: For the avoidance of doubt as to what is being permitted, in the interests of the amenity of the occupiers of the accommodation to accord with Policies LP22 and LP24 of the Kirklees Local Plan and Policies within Chapter 12 of the National Planning Policy Framework.

4. The development hereby permitted shall be operated in connection with the building(s) outlined in red upon the 1:1250 scale drawing titled 'Site Location Plan' upon submitted drawing (0-)01RevA and shall not be disaggregated or operated separately / independently.

   Reason: For the avoidance of doubt as to what is being permitted, in the interests of the amenity of the occupiers as the accommodation and to ensure acceptable parking arrangements are in place to accord with Policies LP22 and LP24 of the Kirklees Local Plan and Policies within Chapter 12 of the National Planning Policy Framework.

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully. Reason: In order that the proposals are implemented in accordance with the Wildlife and Countryside Act 1981 (as amended).

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	10/03/2026
Office / Accommodation Plan	(0-) 01	A	10/03/2026
Car parking spaces	PGA 17/4/2026	-	20/04/2026
Application form	-	-	10/03/2026
Climate Change Statement	-	-	10/03/2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. Further information was requested regarding parking arrangements. Revised plans were submitted on 20 April.

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