

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 73

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS TO
CARRY OUT DEVELOPMENT WITHOUT COMPLIANCE WITH PLANNING
CONDITIONS PREVIOUSLY ATTACHED**

Reference No:	2026/70/91124/W
Site Address:	11, Town End Avenue, Wooldale, Holmfirth, HD9 1QW
Description:	Variation of condition 2 (plans) on previous permission 2025/90493 for demolition of existing garage and erection of two storey side extension, single storey garage extension and associated driveway
Recommending Officer:	Joshua Merriman

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: 30-Jun-2026

Officer Report – 2026/91124

Site Description

The application site refers to 11 Town End Avenue, Wooldale, Holmfirth, HD9 1QW, a two-storey detached property faced in coursed Yorkshire stone walls, with a concrete tiled roof, white uPVC windows and doors, and a hardstanding tarmac parking area to the front of the property. The application property is located in a relatively varied street scene, being surrounded by properties of a differing size, scale, built form, age, and character. Furthermore, the dwelling benefits from a hardstanding parking area to the front of the dwelling, and garden space to both sides of the property.

Description of Proposal

The Scheme

The applicant is seeking permission for Variation of condition 2 (plans) on previous permission 2025/90493 for demolition of existing garage and erection of two storey side extension, single storey garage extension and associated driveway.

The variation would see the following amendments:

- The garage door being reduced to a width of 3m.
- The garage door being reduced to a height of 2.1m.
- Pedestrian garage access being relocated from the side elevation from the rear of the property.
- The high-level garage window will be removed.
- Folding door from the family room to the garden will be reduced to a width of 3m, from 3.5m.
- Proposed dropped kerb moved to align with the garage frontage.

The previous condition read as:

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, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework.

History of Negotiations / Amendments Received

No amendments have been requested by officers.

Relevant Planning History

The planning history for the site relates to the following:

2023/92532 – Demolition of existing garage and erection of two storey extension and construction of single storey extension including external alterations including application of render to external walls – Conditional Full Permission.

2025/90493 - Demolition of existing garage and erection of two storey side extension, single storey garage extension and associated driveway – Conditional Full Permission.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (December 2024).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 13/06/2026.

One representation was received in relation to site publicity.

Letters of Objection

- The statement of 'very minor changes to window levels to suit coursing' should be specified as inadequate information. This issue affects neighbouring properties to the rear, side, and front of No.11 Town End Avenue.

Consultation Responses

No consultations considered necessary.

Allocation and Policy

The application site is unallocated within the Kirklees Local Plan (adopted 2019).

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP51 Protection and Improvement of Local Air Quality

Holme Valley Neighbourhood Development Plan

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan. Policies within the plan relevant to the consideration of this application are listed as follows:-

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 lies within Landscape Character Area 4 (River Holme Settled Valley Floor) of the Holme Valley Neighbourhood Development Plan, the key characteristics of which are listed below:

- Framed views from the settled valley floor to the upper valley sides and views across to opposing valley slopes and beyond towards the Peak District National Park.
- Boundary treatments comprised largely of millstone grit walling. The stone walling which runs parallel with Upperthong Lane is representative of local vernacular detailing.
- A network of Public Rights of Way (PRoW) including the Holme Valley Riverside Way which follows the River Holme from Holmbridge through Holmfirth and downstream. National Cycle Route no. 68 follows minor roads through Upperthong towards the centre of Holmfirth before climbing the opposing valley slopes.
- Mill ponds reflect industrial heritage and offer recreation facilities.

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 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.

Chapter12 Achieving well-designed places
Chapter14 Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)
House Extensions & Alterations SPD (adopted June 2021)

The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.
The Conservation of Habitats and Species Regulations 2017

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 are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Representations
6. Conclusion

1 – Principle of Development

Section 73 of the Town and Country Planning Act 1990 allows for the variation or removal of a condition of a previous permission.

The principle of development for demolition of existing garage and erection of two storey side extension, single storey garage extension and associated driveway was established under permission 2025/90493. As such, it is considered that the principle of development remains established by way of this permission. This assessment will deal with the merits of the proposed variations only.

2 – Impact on character and appearance of the area

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'*.

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.

The reduction in scale of the garage door and folding door, and relocation of the pedestrian access to the garage are not considered to have a significant impact upon the visual amenity of the dwelling. It is considered that the reduction in scale of the garage door may even improve the dwellings' appearance, as more matching, sympathetic, materials will be utilised across the dwelling as a result.

Removing the high-level garage window is also not considered to have a significant impact upon visual amenity, as this area of the building will be replaced with matching stone.

Finally, the movement of the dropped kerb will not significantly impact the street scene.

These characteristics of the proposal will ensure the development continues to comply with Policy LP24 of the Kirklees Local Plan, Policies within Chapter 12 of the NPPF, and Principles 1 and 2 of the House Extensions and Alterations SPD.

3. Impact on Residential Amenity

Sections 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.

Key Design Principle 3 states that extensions and alterations should be designed to achieve reasonable levels of privacy for both inhabitants, future occupants and neighbours.

Key design principle 4 sets out 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.

Key design principle 5 relates to overshadowing/loss of light and details that extensions and alterations should not adversely affect the amount of natural light presently enjoyed by a neighbouring property.

Key design principle 6 seeks to ensure developments preventing overbearing impact and that extensions and alterations should not unduly reduce the outlook from a neighbouring property.

Principle 7 of the House Extensions and Alterations SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Given the limited scale of the development, and adequate distance maintained between the proposal and neighbouring properties, it is considered that there will be no significant impacts regarding overshadowing, overbearing, light or outlook because of this development.

Neighbouring properties are also considered an adequate distance away from changes to the application property to have no significant impact upon privacy or overlooking given there are no additional openings proposed in the dwelling and those have already been granted in principle.

Considering the above assessment, the proposed amendments are considered acceptable regarding residential amenity.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and 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 impact upon highway safety has been deemed acceptable under the 2024/91044 permission. As the scale of the development would not be significantly increased under this variation of condition, and very similar arrangements would be retained, the impact upon highway safety and parking provision remains acceptable.

It is considered that waste storage and collection arrangements would remain as existing, and that the proposal would also be in accordance with Principle 16 of the House Extensions and Alterations SPD too.

It is therefore considered that in terms of access and highway safety / parking the proposal would comply with Policies LP21 and LP22 of the Kirklees Local Plan, Principles 15 and 16 of the House Extensions and Alterations SPD and Chapter 9 of the National Planning Policy Framework.

5. 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 scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Representations

One representation was received in relation to site publicity.

Letters of Objection

- The statement of 'very minor changes to window levels to suit coursing' should be specified as inadequate information. This issue affects neighbouring properties to the rear, side, and front of No.11 Town End Avenue.

Officer Comment: As shown on the submitted plans, any changes to window levels either include the removal of openings or reduction in scale of openings. Therefore, as openings larger in scale have been previously approved, it is considered that these changes would have no significant impact on the occupants of neighbouring properties greater than that of previous permission 2025/90493.

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

**Recommendation
PERMISSION**

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2026/91124

Officer Recommendation: Conditional Full Permission

1. The development hereby permitted shall be begun within three years of 9th May 2025.
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, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework.
3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building, with the proposed dormers being faced in black cladding, with black fascia's and soffits also being considered acceptable.
Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.
4. The proposed ensuite window in the South West facing elevation shall be fitted with obscure glazing to at least Level 3 on the Pilkington Scale (or equivalent) and be non-opening to a height of no less than 1.7m above floor level and retained as such thereafter.
Reason: In the interests of residential amenity and to accord with Policy LP24 of the Kirklees Local Plan, Principles 3 and 4 of the House

Extensions and Alterations SPD, and policies contained within Chapter 12 of the NPPF.

Plans and specifications schedule:-

Plan Type Submitted as Part of Application 2025/90493	Reference	Version	Date Received
Grouped Plans and Elevations	C342-DRG-004-P02- Floor Plans 2 of 3	-	01/05/2025
Grouped Plans and Elevations	C342-DRG-005-P02 Floor Plans 3 of 3	-	24/04/2025
Design and Access Statement	C342-DOC-001 – Design and Access Statement	-	24/02/2025
Climate Change Statement	C342-DOC-002 – Climate Change Statement	-	24/02/2025
Plan Type Submitted as Part of Application 2026/91124	Reference	Version	Date Received
Location Plan	C342-DRG-001	-	05/05/2026
Existing and Proposed Site Plan	C342-DRG-002-P03	-	05/05/2026
Existing Elevations	C342-DRG-006-P04	-	05/05/2026
Existing and Proposed Floor Plans	C342-DRG-003-P02	-	05/05/2026
Proposed Elevations	C342-DRG-003-P02	-	05/05/2026
Application Forms	-	-	05/05/2026

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. No amendments were sought by officers as it was considered the proposal was acceptable as submitted.

Report Dated: 15/06/2026

