

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:	2026/62/91465/W
Site Address:	247, New Mill Road, Brockholes, Holmfirth, HD9 7AL
Description:	Erection of annexe outbuilding to be used as an ancillary accomodation to 247, New Mill Road, Brockholes, Holmfirth, HD9 7AL
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.

Emma Thompson

AUTHORISED OFFICER

Date: 24-Jul-2026

Officer Report – 2026/91465

Site Description

The application site refers to 247, New Mill Road, Brockholes, Holmfirth, HD9 7AL, a two-storey detached property faced in stone, with a pitched, tiled roof and uPVC windows and doors. The application property lies in a relatively uniform street scene, surrounded by dwellings of a similar size, scale, character, appearance, and age. Furthermore, the application property benefits from a hard-standing parking area to the front, as well as a lengthy rear garden space.

Description of Proposal

The Scheme

The applicant is seeking permission for the erection of annexe outbuilding to be used as an ancillary accommodation to 247, New Mill Road, Brockholes, Holmfirth, HD9 7AL.

The building is flat roofed and measures approximately 4.5m wide, 8.8m in length and a height of 3m.

It is shown to be finished with composite cladding.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

Climate Change Statement

History of Negotiations / Amendments Received

No amendments have been requested by Officers.

Relevant Planning History

The most relevant planning history relates to the following planning applications

89/07210 - Erection of 2-storey extension to form garage, porch, utility room, enlarged kitchen, bedroom with en-suite shower room – Conditional Full Permission.

Representations

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

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 03/07/2026.

Letters of Comment

Holme Valley Parish Council have chosen to offer no comment on the application.

Consultation Responses

No consultations considered necessary.

Allocation and Policy

The site is unallocated within the Strategic Green Infrastructure Network within the Kirklees Local Plan (adopted 2019). The site is also located within a bat alert layer and twice buffer.

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
LP30 Biodiversity and Geodiversity
LP31 Strategic Green Infrastructure Network

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 is located within Landscape Character Area 7 (River Holme Wooded Valley) of the Holme Valley Neighbourhood Development Plan. The key characteristics of which are below:

Glimpsed views towards the wider landscape through gaps between built form.

Views across the wooded valley floor from elevated vantage points such as from Christ Church New Mill and Holy Trinity Church Hepworth.

Stone boundary walls are common features.

A network of Public Rights of Way (PRoW) crosses the landscape including a section of the Barnsley Boundary Walk, the Kirklees Way and the Holme Valley Circular Walk.

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.

Chapter2 Achieving sustainable development

Chapter12 Achieving well-designed places

Chapter14 Meeting the challenge of climate change, flooding and coastal change

Chapter15 Conserving and enhancing the natural environment

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 –

Principle of development
Impact upon the character and appearance of the area (including impact upon historic environment)
Impact upon residential amenity
Impact upon highway safety
Climate Change
Other matters – e.g. trees/ecology (e.g. bats)
Representations
Conclusion

1 – Principle of Development

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.

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.

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

The dimensions of sustainable development will be considered throughout the proposal.

In terms of extending and making alterations to a 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 material planning considerations, including visual and residential amenity, as well as highway safety.

Paragraph 5.29 of the Council's House Extensions and Alterations SPD states that:

“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.”

Paragraph 5.3 of the House Extensions and Alterations SPD goes on to say that 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; and
- 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.

These issues along with other policy considerations will be addressed below.

Considering the above policy, the principle of the development is considered to be acceptable.

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 recommendations of Paragraphs 5.29 and 5.30 of the House Extensions and Alterations SPD are outlined in the previous section titled ‘Principle of the development’.

The proposed outbuilding is subservient in footprint and scale to the original building and its garden taking into account the cumulative impact of the relocated shed. It is located in the rear garden area and as such is set back behind the building line of the original building therefore avoiding any impact on the street scene. Due to its scale and positioning it will preserve a reasonable private amenity space appropriate to the potential number of occupants of the house, and follows the general principle that no more than 50% of garden space will be lost.

The contemporary design and simple form is acceptable. The materials used for the proposed outbuilding, in the context of its subservient scale and location to the rear of the site, would appear sympathetic to the host property and have a limited impact on the surrounding street scene given its set back location. The proposed materials include composite cladding, an EPDM flat roof, and powder coated aluminum windows and doors. The colour of the cladding is not set out. It would be appropriate to be dark brown or grey and a condition is imposed in this regard.

Considering the above assessment, the proposed outbuilding is considered to be acceptable with regard to visual amenity.

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 SPD requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

The recommendations of Paragraph 5.30 of the House Extensions and Alterations SPD are outlined in the 'Principle' section of this report and addressed below.

The proposed outbuilding occupies a relatively large elongated footprint in the rear garden of the host building. As the garden is quite narrow the annex would occupy much of the width retaining a gap of only 15cm to the boundary to the neighbouring garden to the north west and 90cm to the south east. The existing boundary treatment will provide some screening to the building and mitigate impact from the built form as well as impact from the window/door openings. Being 3 metres in height it will be visible over the top of existing fencing. The agent argues that it is just over a permitted development fall back, however no certificate has been approved and as such limited weight can be afforded to this justification. The building would protrude for almost 9 metres and provides little in the way of space to the boundary, particularly to the north west, however the flat roof ensures a reduction in impact and limited overshadowing to the bottom end of the garden space would occur. This is, on balance, considered acceptable. The higher fence and space to the neighbour to the north east would provide adequate mitigation and an acceptable relationship is achieved.

It should be noted that the existing garden relationship are reasonably open and occupants have mutual views. Whilst the proposal includes windows these are not considered to result in any greater overlooking.

Furthermore, the annexe is to be located at least 21m away from the closest neighbouring dwellings, maintaining an adequate distance to ensure there is no significant potential for impacts relating to overshadowing, overbearing, light, outlook, privacy, and overlooking.

As the outbuilding lies in a site of large scale, it is considered that an appropriately sized and useable area of private outdoor amenity space will be retained relative to the potential number of occupants at the property.

The proposal is considered to comply with the relevant policy listed above and is 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.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

Although nothing specific is detailed within the submitted plans, it is considered that there is adequate space on site for waste storage.

There will be two bedrooms in the proposed outbuilding, however, as this is to be used ancillary to the existing property on site and the hard-standing parking area servicing the dwelling will not be reduced in scale, it is considered that no additional parking provision is required as a result of this development. Considering this, the current parking provision is acceptable to remain. Furthermore, the proposal is set back from the closest highway and is not considered to have any significant impact upon highway safety.

It is therefore considered that in terms of access and highway safety/parking the proposed extension would 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. Furthermore, it is considered that the proposal would also comply with Principle 19 of the adopted House Extensions & Alterations SPD.

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. Other Matters

Impact upon Ecology

Chapter 15 of the National Planning Policy Framework is 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 is located within an identified bat roosting area and twite buffer, the proposals are relatively modest, and in this case would not impact upon the existing roof space which has the potential for providing a roost for bats and twites. Therefore, it is considered unlikely that the proposals would have a significant impact on the bat or twite populations. An informative would be included making the applicant aware that if bats or twites are discovered on site during the works, any development shall cease, and the applicant is advised to contact Natural England for advice on how to move forward. Subject to informative the proposal is considered to be acceptable in this regard.

7. Representations

No representations have been received.

8. 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: 2026/91465

Officer Recommendation: Conditional Full Permission

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).

1. 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, and 12 of the National Planning Policy Framework

2. The outbuilding hereby approved shall remain as an annexe to 247, New Mill Road, Brockholes, Holmfirth, HD9 7AL, for the lifetime of the development and is not to be used as a separate dwellinghouse or rental property.

Reason: In the interests of residential amenity and in accordance with Policies LP1, LP2 and LP22 of the Kirklees Local Plan, Principles 3, 4, 5, 6, 15, and 16 of the Council's House Extensions and Alterations SPD, and Policies within Chapters 2, and 12, of the National Planning Policy Framework.

3. Notwithstanding the submitted details, the outbuilding hereby approved shall be finished in a dark brown or dark grey composite cladding and thereafter be retained.

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, and 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 42 of The Conservation of Habitats and Species Regulations 2017. 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 applicant is advised that under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2018, the developer is required to take account of the timing of works in relation to the bird breeding season. An inspection to check for the presence of nesting birds is advised if demolition and/or site/vegetation clearance works are likely to take place during the bird breeding season (1st March to 31st August inclusive). If twites are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	01	-	29/05/2026
Existing Block Plan	02	-	29/05/2026
Proposed Block Plan	03a	-	29/05/2026
Proposed Plans and Elevations	04b	-	29/05/2026
Application Forms	-	-	29/05/2026
Climate Change Statement	-	-	29/05/2026

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 as it was considered that the proposal was acceptable as submitted.

Report Dated:

06/07/2026