

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:	2026/62/91551/E
Site Address:	Shepley Carr House, The Carr, Carr Lane, Shepley, Huddersfield, HD8 8BR
Description:	Erection of detached garage and garden room
Recommending Officer:	Nicole Helliwell

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: 07-Sep-2026

Officer Report

Reference No. 2026/62/91551/E

Site Address: Shepley Carr House, The Carr, Carr Lane, Shepley, Huddersfield, HD8 8BR

Proposal: Erection of detached garage and garden room

Site Description

The application relates to Shepley Carr House, a two-storey detached property located in Shepley, Huddersfield. The property is considered a non-designated heritage asset and is located within the designated Green Belt on the Kirklees Local Plan. The dwelling is constructed from natural stone and incorporates a dual-pitched roof finished in slate tiles. The property is located within a small hamlet of properties which are all accessed via a long, shared driveway which joins Carr Lane. The access lane also serves a public footpath (KIR/197/20) which runs along the western boundary of the application site. The site is not within a conservation area, nor are there any listed buildings within close proximity to the site. However, the property is considered a non-designated heritage asset.

Description of Proposal

The application seeks planning permission for the erection of a detached garage and a detached garden room. The proposed works are summarised below:

- Detached garage (length approx. 13.25m, depth approx. 7.64m, overall height approx. 7.2m and eaves height approx. 3.35m to 4.58m due to changes in ground levels)
- Garden room (length approx. 15.4m, depth approx. 5.75m, overall height approx. 5.09m and eaves height approx. 3.07m)
- Construction materials – natural stone for the external walls and slate tiles for the roof

History of Negotiations/Amendments Received

No amendments were sought or received during the course of the application.

Relevant Planning History

- **2023/90153:** Certificate of lawfulness for proposed erection of detached garage. [Planning application details | Kirklees Council](#) – Cert of Lawful Opps Granted
- **2022/90484:** Erection of detached garage. [Planning application details | Kirklees Council](#) – Refused
- **2021/91059:** Variation of condition 2. plans on previous permission no. 2019/91556 for erection of extensions and alterations. [Planning application details | Kirklees Council](#) – Removal or Modification of Condition(s)
- **2019/91556:** Erection of extensions and alterations. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **2006/95372:** Erection of orangery. [Planning application details | Kirklees Council](#) – Conditional Full Permission

Representations

The application was publicised by site notice, which expired on 3rd August 2026. As a result of the above publicity, two representations have been received. The comments made have been summarised below:

- These 2 "blocks" of completely incongruous buildings would create what could only be described as two horrific carbuncles.
- The host building, Shepley Carr House, has a magnificent elevation and setting which would be completely ruined.
- I was, as a very young child along with my sister, brought up in this house by my parents and I still love living in the small hamlet. I would hope that this application is refused in order to preserve the appearance of this house as a wonderful prominent property of substantial local and historical context.
- As an absolute point of principle, we wish to draw the Case Officer's attention to the previous planning application for this property, which was explicitly refused by the Local Planning Authority. In that decision notice, the Council robustly stated: *"The proposed development, by virtue of design and location, would not be in keeping with the host dwelling or surrounding hamlet. The proposal would therefore result in significant harm to visual amenity and the historic character of a non-designated heritage asset. Therefore, this proposal fails to comply with LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout, LP35 of the Kirklees Local Plan paragraphs 2 and 3 in terms of harm to the significance of a non-designated heritage asset and historic environment, KDP 2 of the House Extension and Alterations Supplementary Design Guide, and the aims of Chapter 12 and Chapter 16 of the National Planning Policy Framework."* The current proposal fails entirely to address these fundamental reasons for refusal.
- In fact, by changing the location to a more dominant position, expanding the built footprint, creating self-inflicted parking constraints, omitting critical

dimensions, and demanding the destruction of mature trees, it worsens the very harm the Council previously sought to prevent.

- The status of Shepley Carr House as a Non-Designated Heritage Asset (NDHA) carries profound historical significance that the applicant has entirely ignored.
- Because so much of Hughes' local portfolio has been lost to history, Shepley Carr House is an incredibly rare, surviving domestic example of his regional vernacular. Encroaching upon its setting with massive, disconnected modern outbuildings directly erodes the architectural reading of this finite heritage asset. This creates an unmitigated conflict with paragraphs 2 and 3 of Kirklees Local Plan Policy LP35, which strictly mandates the preservation of an NDHA's historical significance and setting.
- The previous refusal specifically condemned the "location" of the development. This current proposal aggressively worsens the layout by projecting significantly forward of the primary building line into the front façade.
- Under Guideline KDP 2 of the House Extension and Alterations Supplementary Design Guide, outbuildings must strictly be positioned behind the primary building line of the original dwelling.
- Placing a heavy garage structure entirely forward of the house's front door line, and extending the garden room far past the garden front facade, strips the historic asset of its dominance.
- The front approach is severely cluttered, the historic facade is visually crowded out, and the uniform, open building line of the surrounding hamlet is permanently destroyed. This represents a clear defiance of Chapter 14 of the NPPF.
- The combined footprint and floor area of the proposed detached garage and the elongated garden room and golf simulator appear roughly equal to the total floor area of the original host dwelling itself, prior to a recent extension.
- When the historical four-car garage conversion is factored into the total internal habitable space, the property has already been massively expanded.
- Accumulating an unbuilt certified garage footprint alongside a massive new garage and a sprawling garden room completely transforms the property from a historic home within a rural garden and parkland setting into a heavily built-up, suburbanised, overdeveloped complex. This massive cumulative scale directly violates Kirklees Local Plan Policy LP24(a) regarding form, scale, and layout.
- The applicant intends to utilize the proposed Garden Room as an indoor golf simulator. This specific use introduces highly disruptive, industrial-grade noise profiles into a quiet residential hamlet. Physical impact data confirms that a high-velocity club striking a ball generates sharp, airborne peak noises between 90 to 110 decibels (dB) at source, followed by an immediate

85 to 92 dB percussive "thwack" as the ball hits the impact screen at speeds exceeding 100 mph.

- Beyond airborne noise, the immense kinetic energy of 100+ mph golf ball impacts will transfer directly into the frame of the outbuilding if it is bolted to the timber studs or masonry. This creates a low-frequency, bass-heavy structural vibration that radiates outward through the ground and boundary lines like a drum skin. This repetitive, unpredictable "thump" cannot be mitigated by standard garden fences or residential double glazing.
- Because the applicant has failed to provide any construction cross-sections, structural dimensions, or a professional acoustic mitigation strategy, the Local Planning Authority cannot verify whether this structure can successfully contain these high decibel impacts.
- To permit an uninsulated, large-scale sports simulator structure in close proximity to neighbouring private gardens and living spaces represents a direct violation of Kirklees Local Plan Policy LP24(b) objectives to protect residential amenity and prevent noise nuisance.
- The applicant's perceived need for a new detached garage is entirely artificial and self-created.
- The property previously benefitted from an extensive garage capable of securely housing four vehicles. This substantial original structure was converted into internal habitable living space by a previous owner without the required householder planning permission.
- Having unlawfully stripped the plot of its designated four-car parking provision, the applicant is now attempting to use this self-inflicted deficit to justify an entirely new, highly intrusive detached garage.
- The Local Planning Authority should not reward unauthorised, historical development by granting full planning permission for secondary, landscape-damaging structures forward of the building line.
- Compounding the issue of parking space, the site already benefits from a successfully granted Certificate of Lawfulness (Proposed) for a detached garage situated in an alternative, policy-compliant location within the plot. Because the applicant already holds a legally established "fallback position" to construct a garage on the site, there is absolutely no operational or circumstantial justification to grant full planning permission for a second garage.
- Seeking a new, full planning application for a garage in a highly damaging location represents an unnecessary and actively harmful deviation from an already approved, lawful fallback option.
- The inclusion of down-lighting within the external soffits above the proposed garage doors introduces a suburban, heavily illuminated feature that is entirely hostile to the rural setting of this Non-Designated Heritage Asset (NDHA).
- Soffit down-lighting is a modern architectural feature typically reserved for contemporary suburban housing developments. Introducing continuous,

decorative external feature lighting onto a secondary outbuilding permanently erodes its requirement to remain a subservient, modest structure. Instead, it artificially draws visual focus away from the primary historic facade of Shepley Carr House, failing to preserve the character of the asset under Policy LP35.

- The subject site is situated within a tranquil hamlet characterized by low ambient night-time light levels. The applicant has submitted no lighting assessment or technical specifications detailing the lumen output, colour temperature, or light spill vectors. Uncontrolled downward glare from multiple garage bays creates severe light pollution and "light trespass" across immediate property boundaries into neighbouring gardens, directly conflicting with Kirklees Local Plan objectives to protect residential amenity.
- By positioning bright, downward-directed spotlights directly adjacent to the remaining tree canopy line, the proposal will cause severe ecological disturbance. Continuous artificial lighting in close proximity to mature tree canopies directly disrupts local wildlife corridors and fragments established foraging zones for nocturnal species, specifically bats, which are strictly protected under UK wildlife legislation.
- Compounding the design flaws that led to the previous refusal, the current application introduces severe and unjustifiable ecological destruction
- The proposal seeks the complete, permanent felling and removal of mature trees to clear space for these poorly located footprints. The permanent removal of healthy, visually prominent components like T2 strips the hamlet of its green character and biodiversity.
- Furthermore, the layout actively threatens surviving canopy cover. The plan indicates that the proposed Garage cuts directly into the critical Root Protection Zone (RPZ) of tree T4, and T5. This combined felling and structural degradation offers zero overriding public benefit.
- The submitted architectural drawings are fundamentally deficient, lacking basic transparency and context.
- The elevations completely omit to illustrate the proposed detached Garage and Garden Room/Golf Simulator in direct visual relation to the host dwelling (Shepley Carr House). The structures are drawn in total isolation. Because the house is an irreplaceable heritage asset, the applicant has a strict duty to provide contextual elevations under Policy LP35 to demonstrate how the proposal preserves its setting.
- The drawings completely fail to state the proposed ridge heights, eaves heights, or exact structural dimensions for either the Garage or the Garden Room. Scale analysis of site plan drawing shows that the proposed Garden Room and Golf Simulator features an elongated footprint measuring approximately 14.5 metres in length by 4.5 metres in width, while the Garage measures approximately 10.5 metres in length by 5.5 metres in width. Without clear vertical dimensional data matching these large horizontal footprints, the council cannot mathematically evaluate the level of

overshadowing to neighbouring plots or the visual dominance on the heritage asset. The application remains technically un-assessable.

- This application represents a blatant attempt to bypass the Council's previous clear judgment. It seeks to replace parking that was lost via unauthorized development, ignores an already approved fallback position, introduces structures of entirely substandard architectural quality, deliberately conceals the structural relationship between the proposed garage and the historic house, fails to provide essential structural dimensions, equals the size of the original house, aggressively breaches the protected front building line, introduces intrusive suburban external lighting, and demands the outright destruction of mature, healthy trees.
- Crucially, it severely threatens the character and setting of a rare surviving domestic asset designed by Edward Hughes, a major figure in Kirklees' architectural history whose other regional masterpieces have already been permanently lost.
- The proposal continues to stand in direct visual, acoustic, environmental, and structural conflict with Policies LP24 and LP35 of the Kirklees Local Plan, Guideline KDP 2 of the Supplementary Design Guide, and Chapters 14 and 20 of the National Planning Policy Framework. To maintain planning consistency, uphold enforcement integrity, and protect the historic character of the hamlet, we respectfully request that the Local Planning Authority refuse planning permission

Parish/Town Council Comments

Kirkburton Parish Council – No comment

Consultation Responses

KC Environmental Health – No objection

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 located within the designated Green Belt on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highway Safety and Access
- **LP 22** - Parking

- **LP 24** - Design
- **LP 30** - Biodiversity & Geodiversity
- **LP 33** - Trees
- **LP 35** - Historic Environment
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 57** - Extension, Alterations or Replacement within 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.

In this case, the following SPDs are applicable: -

- House Extensions and Alterations SPD (adopted 29th June 2021)
- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated August 2026, 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. Most specifically in this instance, the below chapters are of most relevance:

- **Chapter 3** - Decision-Making Policies
- **Chapter 4** - Achieving Sustainable Development
- **Chapter 5** - Meeting the Challenge of Climate Change
- **Chapter 13** - Protecting Green Belt Land
- **Chapter 14** - Achieving Well-Designed Places
- **Chapter 19** - Conserving and Enhancing the Natural Environment
- **Chapter 20** - Conserving and Enhancing the Historic Environment

Assessment

1. Principle of Development

Impact on the Green Belt

The application site is located within the designated Green Belt on the Kirklees Local Plan (KLP). As such, the proposal will be assessed having regard to KLP

Policy LP57 and Chapter 13 of the NPPF. The National Planning Policy Framework and the Kirklees Local Plan both support limited extensions to buildings within the Green Belt. For extensions within the Green Belt to be acceptable, it is essential that they should not impact on the open character of the Green Belt nor be discordant in themselves or in relation to the host property.

Paragraph 2.12 of the House Extensions and Alterations SPD states that when considering any application, substantial weight will be given to any harm to the Green Belt and applications may be refused if it is considered that the development would result in the encroachment of urban character into a countryside setting.

Paragraph 1 of GB7 of the National Planning Policy Framework states that certain forms of development are exceptions to 'inappropriate development'. One of these is the extension or alteration of a building, provided that it does not result in a disproportionate increase in size compared to the original building.

The host property is a residential dwelling located off Carr Lane. In respect of the openness of the Green Belt, openness has been established to have both a visual and spatial aspect. The proposal would introduce additional built development within the Green Belt which would have some effect on the character and openness. Having looked at the planning history for the site, it is noted that the host dwelling has been previously extended.

The proposed additions (detached garage and garden room) cumulatively with the existing enlargements would equate to a percentage increase in floor space by approximately 51.7% over the original house. Whilst it is acknowledged that this is a large increase, it is also noted that there is no formal definition of disproportionate additions and each application must be assessed on its own merits. Previous case law has demonstrated that the assessment of disproportionate additions cannot be made purely in a mathematical way by reference to size when measured in floor space, volume or mass, but that appearance and visual impact are an important part of a proper evaluation. In this instance, weight is given to the effect of the proposal on the openness of the Green Belt and on the character and appearance of the area. The proposed development would have an acceptable scale relative to the original dwellinghouse and given the size of the host property and its associated curtilage, it is considered that the proposal would not have any detrimental impact on the character or openness of the green belt. On this basis, it is considered that the proposed development would preserve openness and would constitute appropriate development in the Green Belt in accordance with

Policy LP57 of the Kirklees Local Plan and the guidance contained within Chapter 13 of the NPPF.

In respect of the above, 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. These issues along with other policy considerations will be addressed below.

1. Impact on Visual Amenity and Historic Environment

Kirklees Local Plan Policies LP1, LP2 and LP24 all 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. Policy 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...”*

The NPPF offers guidance relating to design in Chapter 14 (achieving well designed places) whereby Paragraph 1 of NPPF Policy DP3 states: *“Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features*

Paragraph 1 of Policy DP3 of the NPPF sets out that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings. Furthermore, Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

Detached Garage

The detached garage proposed would be single storey in height and would be located south of the dwelling. The garage would have a length of approx. 13.25m, a depth of approx. 7.64m, an overall height of approx. 7.2m and an eaves height of approx. 3.35m to 4.58m due to changes in ground levels. The structure would be faced in natural stone for the external walls and would incorporate a dual-pitched roof finished in slate tiles to match the appearance of the original build. Although the garage would have a large footprint and scale, it would appear subservient in relation to the host dwelling and would be set back approximately 34.6m from the access track which would reduce its prominence and visibility from vantage points.

It is noted that a previous application for a garage to the front of the dwelling was refused (2022/90484), however this was to be sited in a different location and to be of a different design to the current proposals. The garage forming the current proposals would align with the gable end of the dwelling and would not interfere with the principal elevation/façade of the non-designated heritage asset. As such, officers do not consider that the structure would detract from the architectural significance of the dwelling. For these reasons, the proposed development is not considered to have any significant visual impact on the character and appearance of the host property and surrounding area and therefore, would be acceptable in this regard.

Garden Room

The garden room proposed would be single storey in height and would be located east of the dwelling. The structure would have a length of approx. 15.4m, a depth of approx. 5.75m, an overall height of approx. 5.09m and an eaves height of approx. 3.07m. The structure would be faced in natural stone for the external walls and would incorporate a dual-pitched roof finished in slate tiles to match the appearance of the original build. Whilst the garden room would have a large footprint, it would remain subservient to the original dwellinghouse and would have limited visibility from vantage points due to the topography of the site and its location. Additionally, with regard to its scale, it is considered that the property and its curtilage would support the proposal without it appearing incongruous or amounting to overdevelopment. Therefore, it is considered that the proposed development would respect the character and appearance of the host property and wider street scene.

Summary

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of the Non-designated Heritage Asset or the wider street scene, complying with Policy LP24 and LP35 of the Kirklees Local, KDP1 & 2 of the House Extensions and Alterations Supplementary Planning Document and the aims of Chapter 14 of the National Planning Policy Framework.

2. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers. The SPD goes into further detail with respect to Key Design Principle 3 on privacy, Key Design Principle 5 on overshadowing/loss of light, Key Design Principle 6 on preventing overbearing impact and Key Principle 7 for outdoor space.

It is noted that the application site is situated within a group of residential properties in a relatively isolated location. Given the siting and nature of the development proposed, it is considered that there would be no significant harm to the neighbour's residential amenity with regards to overbearing, overshadowing or overlooking impact.

Having considered the above factors, the development proposed would have an acceptable impact upon the residential amenity of the neighbouring occupants and would comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties, Key Design Principles 3, 5, 6 & 7 of the House Extensions and Alterations SPD and the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 4 of TR6 of the NPPF states that development proposals should be refused if they would have a severe adverse impact on the transport network or an unacceptable impact on highway safety.

The proposed alterations would not intensify the domestic use at the dwelling or affect the existing parking arrangements on site. Therefore, the development is considered acceptable in accordance with Policies LP21 and LP22 of the KLP, Chapter 15 of the NPPF, Principles 15 and 16 of the Kirklees House Extensions and Alterations SPD and the Highways Design Guide SPD.

4. Other Matters

Carbon Budget

The proposal is a small-scale domestic 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. There are no other matters relevant to the determination of this application.

Trees

Policy LP33 of the Kirklees Local Plan states that the Council will not grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity. This Policy goes on to note that proposals should normally retain any valuable or important trees where they make a contribution to public amenity.

It is noted that there are a number of trees located within the application site. The submitted plans demonstrate that several trees will be removed to allow for the proposed development. However, as these trees are not protected by any Tree Preservation Orders and are not of significant amenity, these trees can be removed without permission.

Public Right of Way

Public Right of Way KIR/197/20 is located west of the application site. Given the distance retained between the proposed development and the footpath, it is considered that the proposal would not have a significant impact on the amenity of the footpath or its users. As such, the proposal was not advertised as affecting a Public Right of Way in this instance as is considered to accord with Policy LP23 of the Kirklees Local Plan.

5. Representations

Two representations were received following the statutory publicity. The comments made have been put into themes, summarised and addressed below:

Visual Amenity and Historic Environment

- These 2 "blocks" of completely incongruous buildings would create what could only be described as two horrific carbuncles.
- The host building, Shepley Carr House, has a magnificent elevation and setting which would be completely ruined.
- I was, as a very young child along with my sister, brought up in this house by my parents and I still love living in the small hamlet. I would hope that this application is refused in order to preserve the appearance of this house as a wonderful prominent property of substantial local and historical context.
- The status of Shepley Carr House as a Non-Designated Heritage Asset (NDHA) carries profound historical significance that the applicant has entirely ignored.
- Because so much of Hughes' local portfolio has been lost to history, Shepley Carr House is an incredibly rare, surviving domestic example of his regional vernacular. Encroaching upon its setting with massive, disconnected modern outbuildings directly erodes the architectural reading of this finite heritage asset. This creates an unmitigated conflict with paragraphs 2 and 3 of Kirklees Local Plan Policy LP35, which strictly mandates the preservation of an NDHA's historical significance and setting.
- The previous refusal specifically condemned the "location" of the development. This current proposal aggressively worsens the layout by projecting significantly forward of the primary building line into the front façade.

- Under Guideline KDP 2 of the House Extension and Alterations Supplementary Design Guide, outbuildings must strictly be positioned behind the primary building line of the original dwelling.
- Placing a heavy garage structure entirely forward of the house's front door line, and extending the garden room far past the garden front facade, strips the historic asset of its dominance.
- The front approach is severely cluttered, the historic facade is visually crowded out, and the uniform, open building line of the surrounding hamlet is permanently destroyed. This represents a clear defiance of Chapter 14 of the NPPF.
- The combined footprint and floor area of the proposed detached garage and the elongated garden room and golf simulator appear roughly equal to the total floor area of the original host dwelling itself, prior to a recent extension.
- When the historical four-car garage conversion is factored into the total internal habitable space, the property has already been massively expanded.
- Accumulating an unbuilt certified garage footprint alongside a massive new garage and a sprawling garden room completely transforms the property from a historic home within a rural garden and parkland setting into a heavily built-up, suburbanised, overdeveloped complex. This massive cumulative scale directly violates Kirklees Local Plan Policy LP24(a) regarding form, scale, and layout.
- The Local Planning Authority should not reward unauthorised, historical development by granting full planning permission for secondary, landscape-damaging structures forward of the building line.
- Crucially, it severely threatens the character and setting of a rare surviving domestic asset designed by Edward Hughes, a major figure in Kirklees' architectural history whose other regional masterpieces have already been permanently lost.

Officer Comments: *The proposal's potential impact on the appearance and character of the street scene and the Non-designated Heritage Asset has been assessed within the 'visual amenity and historic environment' section of the report.*

Planning History

- As an absolute point of principle, we wish to draw the Case Officer's attention to the previous planning application for this property, which was explicitly refused by the Local Planning Authority. In that decision notice, the Council robustly stated: *"The proposed development, by virtue of design and location, would not be in keeping with the host dwelling or surrounding hamlet. The proposal would therefore result in significant harm to visual amenity and the historic character of a non-designated heritage asset. Therefore, this proposal fails to comply with LP24 of the Kirklees Local Plan*

(a) in terms of the form, scale and layout, LP35 of the Kirklees Local Plan paragraphs 2 and 3 in terms of harm to the significance of a non-designated heritage asset and historic environment, KDP 2 of the House Extension and Alterations Supplementary Design Guide, and the aims of Chapter 12 and Chapter 16 of the National Planning Policy Framework.” The current proposal fails entirely to address these fundamental reasons for refusal.

- In fact, by changing the location to a more dominant position, expanding the built footprint, creating self-inflicted parking constraints, omitting critical dimensions, and demanding the destruction of mature trees, it worsens the very harm the Council previously sought to prevent.
- The property previously benefitted from an extensive garage capable of securely housing four vehicles. This substantial original structure was converted into internal habitable living space by a previous owner without the required householder planning permission.
- Having unlawfully stripped the plot of its designated four-car parking provision, the applicant is now attempting to use this self-inflicted deficit to justify an entirely new, highly intrusive detached garage.
- Compounding the issue of parking space, the site already benefits from a successfully granted Certificate of Lawfulness (Proposed) for a detached garage situated in an alternative, policy-compliant location within the plot. Because the applicant already holds a legally established "fallback position" to construct a garage on the site, there is absolutely no operational or circumstantial justification to grant full planning permission for a second garage.
- Seeking a new, full planning application for a garage in a highly damaging location represents an unnecessary and actively harmful deviation from an already approved, lawful fallback option.

Officer Comments: *Each planning application is assessed based on its individual merits. Whilst the planning history for the site does form a material planning consideration, the scheme has significantly changed since the previous refusal and has been assessed by officers within the assessment section of the report.*

Noise

- The applicant intends to utilize the proposed Garden Room as an indoor golf simulator. This specific use introduces highly disruptive, industrial-grade noise profiles into a quiet residential hamlet. Physical impact data confirms that a high-velocity club striking a ball generates sharp, airborne peak noises between 90 to 110 decibels (dB) at source, followed by an immediate 85 to 92 dB percussive "thwack" as the ball hits the impact screen at speeds exceeding 100 mph.
- Beyond airborne noise, the immense kinetic energy of 100+ mph golf ball impacts will transfer directly into the frame of the outbuilding if it is bolted to

the timber studs or masonry. This creates a low-frequency, bass-heavy structural vibration that radiates outward through the ground and boundary lines like a drum skin. This repetitive, unpredictable "thump" cannot be mitigated by standard garden fences or residential double glazing.

- Because the applicant has failed to provide any construction cross-sections, structural dimensions, or a professional acoustic mitigation strategy, the Local Planning Authority cannot verify whether this structure can successfully contain these high decibel impacts.
- To permit an uninsulated, large-scale sports simulator structure in close proximity to neighbouring private gardens and living spaces represents a direct violation of Kirklees Local Plan Policy LP24(b) objectives to protect residential amenity and prevent noise nuisance.

Officer Comments: *KC Environmental Health were informally consulted on the proposed scheme and raised no concerns regarding noise given the significant separation distance from the neighbouring dwellings.*

External Lighting

- The inclusion of down-lighting within the external soffits above the proposed garage doors introduces a suburban, heavily illuminated feature that is entirely hostile to the rural setting of this Non-Designated Heritage Asset (NDHA).
- Soffit down-lighting is a modern architectural feature typically reserved for contemporary suburban housing developments. Introducing continuous, decorative external feature lighting onto a secondary outbuilding permanently erodes its requirement to remain a subservient, modest structure. Instead, it artificially draws visual focus away from the primary historic facade of Shepley Carr House, failing to preserve the character of the asset under Policy LP35.
- The subject site is situated within a tranquil hamlet characterized by low ambient night-time light levels. The applicant has submitted no lighting assessment or technical specifications detailing the lumen output, colour temperature, or light spill vectors. Uncontrolled downward glare from multiple garage bays creates severe light pollution and "light trespass" across immediate property boundaries into neighbouring gardens, directly conflicting with Kirklees Local Plan objectives to protect residential amenity.
- By positioning bright, downward-directed spotlights directly adjacent to the remaining tree canopy line, the proposal will cause severe ecological disturbance. Continuous artificial lighting in close proximity to mature tree canopies directly disrupts local wildlife corridors and fragments established foraging zones for nocturnal species, specifically bats, which are strictly protected under UK wildlife legislation.

Officer Comments: *The proposed lighting would be of a domestic scale and due to its nature, is not considered to impact upon the adjacent trees or wildlife. Furthermore, due to the siting of the development proposed, it is considered that there would be no significant harm to the neighbour's residential amenity as a result of the external lighting.*

Trees

- Compounding the design flaws that led to the previous refusal, the current application introduces severe and unjustifiable ecological destruction
- The proposal seeks the complete, permanent felling and removal of mature trees to clear space for these poorly located footprints. The permanent removal of healthy, visually prominent components like T2 strips the hamlet of its green character and biodiversity.
- Furthermore, the layout actively threatens surviving canopy cover. The plan indicates that the proposed Garage cuts directly into the critical Root Protection Zone (RPZ) of tree T4, and T5. This combined felling and structural degradation offers zero overriding public benefit.

Officer Comments: *It is noted that there are a number of trees located within the application site. The submitted plans demonstrate that several trees will be removed to allow for the proposed development. However, as these trees are not protected by any Tree Preservation Orders and are not of significant amenity, these trees can be removed without permission. The agent for the application has confirmed that suitable replacement trees will be provided on site to mitigate the loss.*

Inaccuracies

- The submitted architectural drawings are fundamentally deficient, lacking basic transparency and context.
- The elevations completely omit to illustrate the proposed detached Garage and Garden Room/Golf Simulator in direct visual relation to the host dwelling (Shepley Carr House). The structures are drawn in total isolation. Because the house is an irreplaceable heritage asset, the applicant has a strict duty to provide contextual elevations under Policy LP35 to demonstrate how the proposal preserves its setting.
- The drawings completely fail to state the proposed ridge heights, eaves heights, or exact structural dimensions for either the Garage or the Garden Room. Scale analysis of site plan drawing shows that the proposed Garden Room and Golf Simulator features an elongated footprint measuring approximately 14.5 metres in length by 4.5 metres in width, while the Garage measures approximately 10.5 metres in length by 5.5 metres in width. Without clear vertical dimensional data matching these large horizontal footprints, the council cannot mathematically evaluate the level of

overshadowing to neighbouring plots or the visual dominance on the heritage asset. The application remains technically un-assessable.

Officer Comments: *The drawings and details have been submitted in line with the Kirklees Planning Validation Requirements. Whilst the drawings do not state the measurements of the proposed development, the plans contain a metric scale and officers have been able to accurately assess the proposal.*

Other Comments

- The applicant's perceived need for a new detached garage is entirely artificial and self-created.
- This application represents a blatant attempt to bypass the Council's previous clear judgment. It seeks to replace parking that was lost via unauthorized development, ignores an already approved fallback position, introduces structures of entirely substandard architectural quality, deliberately conceals the structural relationship between the proposed garage and the historic house, fails to provide essential structural dimensions, equals the size of the original house, aggressively breaches the protected front building line, introduces intrusive suburban external lighting, and demands the outright destruction of mature, healthy trees.
- The proposal continues to stand in direct visual, acoustic, environmental, and structural conflict with Policies LP24 and LP35 of the Kirklees Local Plan, Guideline KDP 2 of the Supplementary Design Guide, and Chapters 14 and 20 of the National Planning Policy Framework. To maintain planning consistency, uphold enforcement integrity, and protect the historic character of the hamlet, we respectfully request that the Local Planning Authority refuse planning permission

Officer Comments: *The application has been assessed in relation to visual amenity, historic environment, residential amenity and highway safety within the 'assessment' section of the report.*

6. Conclusion

This application for the erection of a detached garage and garden room at Shepley Carr House has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered acceptable.

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: 2026/91551

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP33, LP35, LP52 and LP57 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of the National Planning Policy Framework.

3. The detached garage and garden room hereby approved shall be constructed from natural stone for the external walls and slate tiles for the roof to match the appearance of the host dwelling. The materials of construction shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the House Extensions and Alterations SPD and the aims of Chapters 14 and 20 of the National Planning Policy Framework.

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:

Plan Type	Reference	Revision	Date Received
Location Plan	2669-D-20-001	-	08/06/2026
Existing Site Plan	2669-D-20-002	-	08/06/2026
Proposed Site Plan	2669-D-20-003	-	08/06/2026
Proposed Ground Floor Plan	2669-D-20-004	-	08/06/2026
Proposed Garage & Garden Room Elevations	2669-D-20-005	-	08/06/2026
Climate Change Statement	2669	-	08/06/2026

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 Planning 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. In this case, the design of the original scheme has been found acceptable. No further amendments or details were sought thereafter.

Report Dated: 03/09/2026