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:	**2026/62/92190/W**
Site Address:	Fiveways, Park Head Lane, Holmfirth, HD9 2LB
Description:	Demolition of existing garage and erection of replacement garage including associated surfacing and works
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.

John Holmes

AUTHORISED OFFICER

Date: 14-Oct-2026

Officer Report – 2026/92190

Site Description

The application site refers to Fiveways, Park Head Lane, Holmfirth, HD9 2LB, a two-storey detached property faced in natural stone, with a pitched slate roof, uPVC windows, and timber doors. The application property lies in a relatively uniform street scene, surrounded by properties of mostly a similar size, scale, character, appearance, and age. Furthermore, the dwelling benefits from amenity space and a hard-standing parking area to the front, as well as further amenity space to the rear and a garage outbuilding on site.

Description of Proposal

The Scheme

The applicant is seeking permission for demolition of existing garage and erection of replacement garage including associated surfacing and works.

The applicant has confirmed the scheme seeking permission relates to that shown on submitted drawing ref 02 which is annotated as being artificial roof slates, stone to the front walls and render to the side and rear elevations as well as being sited 0.7m form the existing boundary.

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

2026/91460 - Certificate of lawfulness for proposed demolition of existing garage and erection of single storey garage with pitched roof, formation of 2 off road parking spaces and widening of existing dropped kerb – Cert of Lawful Opps/Uses Granted/Refused.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 09/10/2026.

Consultation Responses

No consultations considered necessary.

Allocation and Policy

The site is allocated in the Strategic Green Infrastructure Network within the Kirklees Local Plan (adopted 2019). The site is also located within a bat alert layer, and a twite 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 lies within Landscape Character Area 4 (River Holme Settled Valley Floor) of the Holme Valley Neighbourhood Development Plan, they 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 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.

Chapter4 Achieving Sustainable Development
Chapter5 Meeting the challenge of climate change
Chapter14 Achieving well designed places
Chapter19 Conserving and enhancing the natural environment

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)
House Extensions & Alterations SPD (adopted June 2021)
Holme Valley Neighbourhood Development Plan – 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

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.

National decision-making policy S3: Presumption in favour of sustainable development 1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means: a. Policy S4 in this Framework should be applied when considering development proposals within settlements; b. Outside settlements, policy S5 should be applied; and c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

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.

National decision making Policy: S4: Principle of development within settlements 1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

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 14 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.

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

Policy 1 of the Holme Valley Neighbourhood Development Plan 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 Holme Valley Neighbourhood Development Plan 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.

Chapter 14 of the NPPF sets out the objective to promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes.

National policy DP3 of the NPPF requires development to respond positively to its context and contribute to the creation of well-designed places, having regard to matters including local character, built form, appearance and materials. Development which is not well designed should be refused when assessed against national and local design policies and guidance. Policy DP4 further requires design quality to be considered throughout the assessment and delivery of development proposals.

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, 2, and 9 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 considered relevant.

The materials used for the proposed outbuilding are annotated on the submitted plans to be artificial stone slates, stone to the front elevation and render to the side and rear elevations. This is considered to appear sympathetic to, the existing property, reflecting the style, shape, and architectural features of the existing buildings on site in the form of natural stone, rendered brickwork, slate roof tiles, uPVC windows, and timber doors. Furthermore, the outbuilding will be subservient in footprint in relation to the existing building and surrounding garden area, remaining well set back from the street scene as to have no significant impacts.

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

3. Impact on Residential Amenity

Policy 2 of the Holme Valley Neighbourhood Development Plan 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.

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."*

Policies within Chapter 17 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers

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 is considered relevant.

The outbuilding is annotated as being 0.7m form the shared boundary, it is noted this would be at its closest point to the boundary.

As the rear garden area on site will be mostly retained, it is considered that an appropriately sized and useable area of private outdoor amenity space will be retained. Furthermore, given the use of the outbuilding and fact there are no

openings facing away from the proposal with outlook being from openings facing into the site, and the layout of the garage is to match that of the existing outbuilding on site, it is considered no significant overlooking or privacy impacts are to be caused. As well as this, the single storey scale of the outbuilding, and use of the existing outbuilding on site is not considered to have a significant residential amenity impacts upon neighbouring occupiers by way of overshadowing, overbearing, light, outlook, and privacy.

It is noted that the outbuilding will be relocated further to the rear of the site, and thus has the potential for greater interference with the rear elevation of Rosemont compared to the outbuildings current location, however, given the levels of natural screening between the dwelling at the rear of the site, and the limited height of the outbuilding, it is considered that any impact upon Rosemont's rear elevation, including overshadowing and impacts upon light, or oppressiveness would be minimal and not significant enough to warrant a refusal from the LPA.

All elements of the outbuilding are considered to be similar to that's which is existing with the current arrangements on site, therefore, no significant impacts are considered to arise in relation to the residential amenity of neighbouring occupants.

The proposal is therefore 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.

The number of bedrooms on site will not increase, and the hard-standing parking area to the front of the dwelling will remain unchanged. 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

Policy 12 of the Holme Valley Neighbourhood Development Plan seeks to ensure that energy efficient designs are used in all new buildings.

Chapter 5 of the NPPF sets out policies relating to meeting the challenge of climate change. The objective of the policies in Chapter 5 are to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change. It does this by setting out policies to shape places in ways that contribute to radical reductions in greenhouse gas emissions and adapt to the full range of current and potential impacts of climate change, by minimising vulnerability and improving resilience.

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.

6. Other Matters

Ecology

Chapter 19 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 CONDITIONAL FULL PERMISSION

Decision Authorisation: Delegated Powers

Application Number: 2026/92190

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).

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 development hereby approved shall relate to drawing ref:02 received on 6th August 2026 and which contains annotations for the materials of construction as follows:
   - Roof - Artificial Stone Slates

- Walls Front - Natural Yorkshire stone to match Existing
- Walls - Side and Rear - Cement Rendered Blockwork
- Floor - Concrete
- Doors and Windows – Upvc

The render used to the side and rear walls shall be of a stone or cream colour finish. The development shall not be brought into use until completed with the materials of construction and colour finish so approved by this condition and retained thereafter.

Reason: For the avoidance of doubt as to what is being approved to accord with policy LP24 of the Kirklees Local Plan, principles within the House Extensions and Alterations SPD and policies within Chapter 14 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	-	19/08/2026
Garage Plan, Elevations, and Block Plans as Existing and Proposed	02	-	19/08/2026
Application Form	-	-	19/08/2026
Climate Change Statement	-	-	19/08/2026

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 2015 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.