Kirklees Council

Planning and Development Service

PO Box 1720

Enquiries to: Lucy Taylor

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Steve Bell,GHP Architects

Empire House

Mulcture Hall Road

Halifax

HX1 1SP

Date: 24-Jan-2023
Our Ref: 2022/93899

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (as amended), SCHEDULE 2, PART 3, PART MA
NOTIFICATION OF PROPOSED CHANGE OF USE CLASS MA – COMMERCIAL, BUSINESS AND SERVICE USES TO DWELLINGHOUSES
APPLICATION NUMBER: 2022/93899
AT: 50, Market Street, Milnsbridge, Huddersfield, HD3 4HT

I refer to your submission of details relative to the proposed change of use and any building operations as described below which was received by the Local Planning Authority on 01-Dec-2022.

Prior approval of a proposed change of use of a building from commercial, business and service uses to dwellinghouses

The proposal is not acceptable to the Council, and notice is hereby given that the details submitted have been refused for the following reason(s):-

Article 3(9A) of the Town and Country Planning (General Permitted Development) (England) Order (as amended) precludes any grant of planning permission where the gross floor area of any new dwelling does not meet nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015. The requirement to meet national space standards was introduced to prior approval applications on 6th April 2021.

It is considered that the internal gross floor space of the two-bedroom flat would not meet the space standards for the 4 bed spaces proposed.

It is also considered that the application has not been submitted with sufficient information to allow the Local Planning Authority to assess the noise impacts.

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As such, the proposal would fail to comply with requirements as set out by the Town and Country Planning (General Permitted Development) Order 2015 (Amended) Schedule 2, Part 3, Class MA by not meeting the required space standards.

Plans and specifications schedule :-

Plan Type	Reference	Version	Date Received
Proposed Elevations	P300	-	1.12.22
Proposed Floor Plans	P100	-	1.12.22
Proposed Site/Block Layout	P01	-	1.12.22
Flood Risk Assessment	-	-	1.12.22

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse details of the proposed development, he/she may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of issue of this notice. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at The Planning Inspectorates Website . Further information on the Planning Appeal process can be found online at the Planning Inspectorates website.
The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that approval of details could not have been granted by the Local Planning Authority having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order.

Further correspondence regarding this application should bear the reference on this letter.

Customer Feedback

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Yours faithfully

Mathias Franklin
Head of Planning and Development

Kirklees Council

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