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:	**2023/62/91675/W**
Site Address:	90, New North Road, Huddersfield, HD1 5NE
Description:	Change of use of offices to bed and breakfast, installation of lightwells and new window opening to sides (Listed Building within a Conservation Area)
Recommending Officer:	Lucy Taylor

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 24th April 2024

Officer Report.

Reference: 2023/91675

Location: 90, New North Road, Edgerton, Huddersfield, HD1 5NE

Proposal: Change of use of offices to bed and breakfast, installation of lightwells and new window opening to sides (Listed Building within a Conservation Area)

Site Description.

90 New North Road is four stories in height. The external walls of the building are faced in stone, with a tiled roof above. The property fronts the highway of New North Road, benefitting from a grassed area to the frontage and a low stone boundary wall. To the rear elevation, the property has a car park.

The site is located within the Greenhead Park/New North Road Conservation Area.

No. 90 and adjoining No.'s 86 and 88 New North Road are Grade II Listed Buildings. Several other Listed Buildings are also located in close proximity to the site, including the buildings located opposite, across the highway of New North Road.

Description of Proposal.

Planning permission is sought for the change of use of offices to bed and breakfast, installation of lightwells and new window opening to sides.

The applicant is seeking permission for the change of use of the building from offices to a bed and breakfast.

- Basement - three ensuite bedrooms, a bedroom and store room.
- Ground floor – three ensuite bedrooms and storage/staff room with bathroom.
- First floor – five ensuite bedrooms.
- Second floor – four bedrooms and two bathrooms.

Lightwells are proposed to be installed around the building.

A first-floor window would be installed on the side elevation of No. 90 New North Road. This window would be framed in timber and would be designed to match the appearance of the existing ground floor window in the same side elevation.

History of Negotiations / Amendments Received.

Throughout the assessment of this planning application, negotiations were undertaken between the applicant, planning agent, case officer and Council's Conservation & Design Officer.

Although negotiations were undertaken, several amended plans submitted and alterations made to the original description of proposal, it was not considered necessary to re-advertise the application. This is because the main principle of development remained the same, 'change of use of offices to bed and breakfast' with amendments made to the external alterations proposed including fenestration details and the bike store.

Relevant Planning History.

At the application site:

- 90/05592 – Listed Building Consent for suspended ceiling in front studio on first floor. *Consent Granted.*

- 91/01757 – Listed Building Consent for re-opening of bricked up window and exterior landscaping. *Consent Granted.*

- 98/90988 – Alteration to roof. *Granted Conditional Full Permission.*

- 98/90989 - Listed Building Consent for alterations to roof and formation of new internal staircase. *Consent Granted.*

- 2023/93777 – 88-90 New North Road – Listed Building Consent for formation of connecting doorway from no 88-90, installation of window on first floor side elevation, installation of vents to side elevation and change all internal doors to basement of no 90. *Consent Granted.*

- 2023/91676 – Listed Building Consent for change of use of offices to bed and breakfast, installation of lightwells and new window opening to sides. *Pending Consideration.*

To No. 88 New North Road:

- 2016/90929 – Listed Building Consent for change of use from house of multiple occupancy to be bed and breakfast, erection of roof extension, bay window and lightwells and internal and external alterations. *Consent Granted.*

- Change of use from house of multiple occupancy to bed and breakfast, erection of roof extension, bay window and lightwells and internal and external alteration. *Granted Conditional Full Permission.*

Representations.

The application was advertised by site notice, neighbour notification letters and in the newspaper.

Final publicity date expired: 25th August 2023.

In response to publicity, seven objections were received. The following summarised material planning considerations raised within these objections are set out below (the objections are available to view in full on the website): -

- This is a Listed Building of historic value and should be preserved as much as possible.

- In a protected Conservation Area and the Edgerton Hotel has already made changes which are not in keeping with this.

- New North Road has some beautiful buildings and should preserve and keep these historic properties looking their best.

- The current business and scale is already an on going concern in this mixed use residential area.

- Several comments with regard to various forms of anti-social behaviour.

Consultation Responses.

KC Conservation & Design (formal) – The Conservation & Design Team has no concerns about the principle of conversion from offices to a B&B where alterations are kept to a minimum and sensitively designed, with any that affect the historic fabric and plan form fully reversible. No objections to the introduction of lightwells. Object to the proposed cycle bays, recommend that more discreet alternatives are considered, either with a traditional structure in the rear car park or storage at basement level within the building.

KC Highways Development Management (informal) – No objection, the new use would not generate sufficiently more, if any more at all, traffic or parking demand at the site.

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 Greenhead Park/New North Road Conservation Area.

No. 90 and adjoining No.'s 86 and 88 New North Road are Grade II Listed Buildings. Several other Listed Buildings are also located in close proximity to the site.

The application site is located in an area with a known presence of bats and within an area identified by the Coal Authority as been at high risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP3 – Location of New Development
- LP7 – Efficient and Effective Use of Land and Buildings
- LP20 – Sustainable Travel
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP30 – Biodiversity and Geodiversity
- LP35 – Historic Environment
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and Improvement of Environmental Quality
- LP53 – Land contamination

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision-Making
- Chapter 6 – Building a Strong, Competitive Economy
- Chapter 8 – Promoting Healthy and Safe Communities
- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving Well-Designed and Beautiful Places
- Chapter 14 – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

Legislation:

- The Town & Country Planning Act 1990 (as amended).
- The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- The Planning and Compulsory Purchase Act 2004.
- Section 17 of the Crime and Disorder Act 1998 – places a duty on each local authority to *'do all that it reasonably can to prevent crime and disorder'.*

Assessment.

The following matters are considered in the assessment below:

1) Principle of development
2) Impact on visual amenity and heritage
3) Impact on residential amenity
4) Impact on highways
5) Other matters
6) Representations
7) Conclusions

1) Principle of Development

Sustainable Development:

Chapter 2 of the NPPF states that: *"Planning policies and decisions should play an active role in guiding development towards sustainable solutions…"*

Chapter 2 of the NPPF goes onto further state that objectives should: *"support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment…"*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *"…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."*

Policy LP1 goes further and states: *"The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *"good design should be at the core of all proposals in the district".*

Heritage Allocations:

The site is located within the Greenhead Park/New North Road Conservation Area and No. 90 and adjoining No.'s 86 and 88 New North Road are Grade II Listed Buildings, with several other Listed Buildings are also located in close proximity to the site.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of

preserving the building or its setting or any features of a special architectural or historic interest which it possesses'.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of buildings or land within a Conservation Area. Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment are also relevant and will be considered against this development.

No. 90 New North Road has the following listing description: *Mid C19. Ashlar. Pitched fish-scale slate roof. 2 storeys and attics. Parapet. 2 ranges of bipartitie mullioned sashes. West range breaks forward slightly, and is crowned by gable on kneelers with vase-shaped finial, and triangular cusped window.*

As such, The National Planning Policy Framework sets out how Local Planning Authorities are to determine planning applications that impact upon Listed Buildings and Conservation Areas, and in particular Chapter 16 that relates to the importance of the historic environment. Paragraph 201 of the NPPF states how LPAs are to identify and assess the significance of any heritage asset that may be affected by a proposal, which should be taken into account when considering the impacts upon this asset. Paragraph 196 sets out what LPAs are to consider when determining these applications; including the sustainability and enhancement the significance of heritage assets and putting them into viable and appropriate use, economic viability and positively contributing to local character and distinctiveness.

In this instance, the applicant is seeking permission for the change of use of No. 90 New North Road from offices to a bed and breakfast. There would be minimal external alterations, including the installation of one new window in the side elevation, the installation of lightwells and the erection of a cycle store.

Chapter 6 of the NPPF, 'Building a Strong, Competitive Economy' is therefore relevant, which states that *'Planning Policies and decisions should help create the conditions in which businesses can invest, expand and adapt'.* Therefore, the general principle of providing a bed and breakfast facility within a currently vacant building is supported by officers, subject to a detailed assessment of all material planning considerations detailed below.

1) **Impact on Visual Amenity and Heritage**

Chapter 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 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'.*

Paragraph 205 of the NPPF requires that when considering the impact of the proposed development on the significance of a designated heritage asset the Local Planning Authority should give great weight to the heritage asset's conservation irrespective of the level of harm.

Policy LP35 of the Kirklees Local Plan requires that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure that they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated heritage assets.

No. 90 New North Road is a Listed Building with architectural merit. The site is located within a rather prominent position along the highway of New North Road and the site is located within the Greenhead Park/New North Road Conservation Area as well as been surrounded by several Listed Buildings, indicating that the building is of significant architectural interest.

The proposed extent of external alterations is relatively minor, to include only the installation of one new window in the side elevation, the installation of lightwells and the erection of a cycle store.

The proposed first-floor window is a small timber framed window with an ashlar stone surround, which matches the detailing of the ground floor window opening below. Any visual harm or harm to the significance of the building is considered to be negligible as it is set in a discreet location on the gable wall, with Conservation Officers concluded that any harm is outweighed by the introduction of natural light and ventilation into an existing room (as concluded within the officer's report for Listed Building Consent application 2023/93777).

Upon formal consultation, KC Conservation & Design confirmed that there was no objection to the introduction of lightwells around the building, in respect of reducing dampness within the basement by taking back the ground level.

Whilst officer's note the objection to the cycle bays within the consultation response from KC Conservation & Design, it is noted that the Conservation Officer refers to the cycle store been proposed within the front garden of the building, when drawing No. PAD.108.1220 shows the cycle bays to be located within the rear car park. As such, officers conclude the following:

The proposed cycle store is shown to be at the rear of the site, within the car park which serves No. 90 New North Road. It is to be located within a discreet

location, away from the frontage of the site and with no visibility from the highway of New North Road and subservient visibility from the highway of Cemetery Road.

As a result, it has been considered that the proposal would not harm the visual amenity of the site, nor the setting or appearance of Grade II Listed Buildings and the Conservation Area. For these reasons, it has been considered that the proposal would comply with LP24 and LP35 of the Kirklees Local Plan, the aims of the National Planning Policy Framework and the Council's duties under Section 66 and Section 72 of the Planning (Listed Buildings & Conservation Areas) Act (1990).

2) Impact on Residential Amenity

With regard to amenity, Policy LP24 of the Kirklees Local Plan advises that proposals should ensure that a high standard of amenity is achieved for future and neighbouring occupiers.

Noise Impact:

Given that site previously functioned under a commerical use, it is not considered that the use of the building under a differing commerical use (bed and breakfast) would give rise to a significant increase in noise. In addition, it should be noted that the adjoining buildings of No. 86 and No. 88 New North Road function under the same use as that proposed to No. 90, namely 'The Edgerton Hotel' and do not adjoin 3rd party property.

The site of No. 90 New North Road is located a minimum distance of approximately 15 metres from any other buildings within the streetscene, with New North Road a classified Primary A road (A629). Therefore, it is not considered that the proposed use of a bed and breakfast would give rise to undue levels of noise pollution, over and above the previously established environment at the site and within the wider streetscene.

Officers note that, upon any grant of approval, a condition would be imposed to limit the use and operation of No. 90 New North Road to only a bed and breakfast, Use Class C1 and for limited period of occupancy to support the same.

Amenity of Surrounding Occupiers and future guests of the bed and breakfast:

The window proposed to the side elevation is located approximately 23 metres from the boundary of the adjacent building, with an even greater distance from the building of No. 92A New North Road itself, approximately 28 metres. Therefore, this window is not considered to give rise to any undue impacts of overlooking.

With regard to the light wells, given their positioning and potential outlook they are not considered to result in any undue impacts of overlooking.

The proposed cycle store is to be sited to the rear of the site, adjacent to the shared boundary with the car park of No. 88 New North Road. As such, given the principle of built form for a bike store and it's siting within the curtilage of No. 90, it is not considered that it's erection would give rise to any undue impacts of overbearing or overshadowing for surrounding buildings.

To ensure the safe operation of the site as a bed and breakfast, in relation to the surrounding occupiers of neighbouring buildings and guests, a condition will be imposed upon any grant of planning permission requiring the submission of a scheme which sets out all measures to minimise the risk of crime and meet the specific security needs of the application site and development prior to the site been brought into use as a bed and breakfast. This condition would be imposed upon any grant of planning permission to accord with Section 17 of the Crime and Disorder Act 1998, Chapters 8 and 12 of the NPPF and policy LP24(e) of the Kirklees Local Plan.

Amenity of the Visitors to the Site:

It has been considered that, given that the building is to function as a bed and breakfast (Class C1), the size, the layout and the facilities of the rooms would be acceptable for short stay residence only. As such, a condition would be imposed upon any grant of approval to restrict occupancy to individual residents of the bed and breakfast for up to a maximum of 28 days at a time with a requirement to have a minimum of 14 days no return between bookings. Furthermore, under the same condition, the premises will be required to maintain a register of occupation, which can be requested by the local planning authority at any given time.

This is excluding Room 4 in the basement, which is not shown to have an ensuite bathroom and the only shared bathroom facilities located on the second floor of the building. As such, upon any grant of approval, a condition will be imposed to ensure that Room 4 only be used as a 'store room' and not as a bedroom. The reason for this is that its use, even on a short term basis, would provide an unacceptable standard of accommodation in this case given the distance it is sited from shared bathroom facilities.

The aforementioned condition relating to the submission of a scheme setting out all measures to minimise the risk of crime and meet the specific security needs of the application site and development prior to the site been brought into use as a bed and breakfast would also serve to ensure the safe operation of the site as a bed and breakfast in relation to the amenity of visitors and residents within the wider locality.

It should also be noted that, upon any grant of approval, a condition would be imposed to limit the operation of the building within Use Class C1 of schedule 2, of the Town and Country Planning (Use Classes) Order 1987 (as amended). This condition is deemed necessary for the avoidance of doubt as to what is being permitted, in the interests of residential amenity of neighbouring occupiers and for reasons of ensuring the safe operation of the

premises and for the safety of site users, in accordance with policies LP24(a and b) of the Kirklees Local Plan and Chapters 8 and 12 of the NPPF.

Having taken into account the above, with the inclusion of the aforementioned conditions, it is considered that the proposal would be acceptable from a residential amenity perspective and therefore, is considered to comply with LP24 of the Kirklees Local Plan, as well as Chapter 12 of the NPPF.

3) Impact on Highway Safety

The impact of the development on highway safety needs to be considered in relation to Policies LP21 and LP22 of the Local Plan which seeks to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking. The application has been informally assessed by KC Highways Development Management.

The previous use of the site as an office would be considered to have related generated traffic and parking demand. The change of use of the premises from offices to bed and breakfast would not be considered to generate sufficiently more, if any more at all, traffic generation or parking demand. Cycle storage facilities for part of the development, which is considered to encourage more sustainable modes of travel.

In summary, it has been assessed that the proposal would have an acceptable impact on highway safety and therefore the application is considered to comply with LP21 and LP22 of the Kirklees Local Plan.

4) Other Matters

Bats:

The application site lies within the bat alert layer on the Council's GIS system; however, no external alterations are proposed that would affect existing roofing forms at the site and therefore it is considered that the proposal would not adversely impact on bats.

Even so, as a cautionary measure, upon any grant of approval, a note will be added to the decision notice stating that if bats are found development shall cease and the advice of a licensed bat worked sought. This is to accord with the aims of Chapter 15 of the NPPF.

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.

In this case, Climate Change information was included within the submitted Design and Access Statement, whereby it is set out that the rooms to be converted have been designed to minimise carbon emissions and in accordance with passive construction technology in terms of extraction, recycling and local production of materials which would be locally sourced, durable and could be recycled. Any new lighting will be energy efficient types in accordance with the latest building regulations.

Given the above, it is considered that the proposal would appropriately comply with Policy LP51 of the Kirklees Local Plan and Chapter 14 of the NPPF.

Crime Prevention / Anti-Social Behaviour:

Section 17 of the Crime and Disorder Act 1998 places a duty on each local authority to '*do all that it reasonably can to prevent crime and disorder in its area'*. Section 8 ('Promoting healthy and safe communities') of the National Planning Policy Framework states at paragraph 96 that there should be an aim to achieve healthy, inclusive and safe places and beautiful buildings which: (b) are safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

Policy LP24(e) sets out that proposals should promote good design by ensuring the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features.

Whilst officers note that the applicant submitted details of a business management plan via email as part of this planning application, upon any grant of approval, it is considered necessary to include a condition which requests the submission of a scheme to the Local Planning Authority prior to the premises been brought into use as a bed and breakfast, which sets out all the measures to minimise the risk of crime and meet the specific security needs of the application site and the development.

This scheme should include details of the number of staff within the bed and breakfast both during the day and overnight, as well as security measures, including, but not limited to, CCTV systems and their location around the premises.

The aforementioned condition is considered necessary to ensure that, prior to the commencement of development, safety and security measured have been agreed in pursuance of the Council's duty under Section 17 of the Crime and

Disorder Act 1998 and to accord with Policy LP24 of the Kirklees Local Plan and the policies contained within Chapters 8 and 12 of the NPPF.

To further ensure the safe operation of the bed and breakfast in line with crime prevention and anti-social behaviour policies, a condition will be imposed upon any grant of permission to limit the operation of the building within Use Class C1 of schedule 2, of the Town and Country Planning (Use Classes) Order 1987 (as amended). This condition is deemed necessary for the avoidance of doubt as to what is being permitted, in the interests of residential amenity of neighbouring occupiers and for reasons of ensuring the safe operation of the premises and for the safety of site users, in accordance with policies LP24 of the Kirklees Local Plan and Chapters 8 and 12 of the NPPF.

With the inclusion of the aforementioned conditions, it is considered that the proposal would appropriately accord with the expectations of Section 17 of the Crime and Disorder Act 1998 as well as Policy LP24 of the Kirklees Local Plan and Chapter 8 of the NPPF.

5) Representations

As a result of publicity, seven objections were received. The representations are summarised below, accompanied by an officer response.

- This is a Listed Building of historic value and should be preserved as much as possible.

- In a protected Conservation Area and the Edgerton Hotel has already made changes which are not in keeping with this.

- New North Road has some beautiful buildings and should preserve and keep these historic properties looking their best.

Officer Response: The above concerns relate to matters of visual amenity and heritage significance. These material planning considerations have been assessed within the Office's Report in depth, specifically in Assessment sections 1 and 2. It has been concluded that the proposed scheme at No. 90 New North Road is considered to be acceptable with regards to visual amenity and heritage significance.

- The current business and scale is already an on going concern in this mixed use residential area.

Officer Response: This representation is related to matters of residential amenity, which have been assessed in depth within Assessment section 3 of this Officer's report. It has been concluded that the proposed scheme at No. 90 New North Road is considered to be acceptable with regards to residential amenity.

- Several comments with regard to various forms of anti-social behaviour.

Officer Response: Matters of anti-social behaviour has been assessed in depth within Assessment section 5, sub-section 'Crime Prevention / Anti-Social Behaviour' of this Officers report. It has been concluded that, with the inclusion of various conditions regarding the use class of the site, security measures and measures to minimise the risk of crime, the application would appropriately accord with the *expectations of Section 17 of the Crime and Disorder Act 1998 as well as Policy LP24 of the Kirklees Local Plan and Chapter 8 of the NPPF. This takes into account the development applied for which is stated to fall within Class C1 of the Use Classes Order.*

The above comments have been considered as part of the application, however, the issues raised have not been considered substantial reasons for refusal of this application.

6) 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 materials considerations. It is considered that the development would constitute to sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation – Delegated Powers
Application Number: 2023/91675
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.

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP7, LP20, LP21, LP22, LP24, LP30, LP35, LP51 and LP52 of the Kirklees Local

Plan and Chapters 2, 4, 6, 8, 9, 12, 14, 15 and 16 of the National Planning Policy Framework.

2. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order) the use of the building as outlined in red on the submitted Location Plan (Dwg No. PAD.108.1220) shall be restricted solely to those falling within use class C1 of schedule 2, of the Town and Country Planning (Use Classes) Order 1987 (as amended).
Reason: For the avoidance of doubt as to what is being permitted, in the interests of residential amenity and for reasons of ensuring the safe operation of the premises and the safety of site users, to accord with policies LP24(a and b) of the Kirklees Local Plan and Chapter 8 and 12 of the National Planning Policy Framework.

3. Notwithstanding the submitted plans, Room 4 at basement level, as shown on Dwg No. PAD.108.1215 Rev A, shall be used as a store room only and shall not function as habitable/bedroom space at any time throughout the lifetime of the operation of the building for a use falling within use class C1 of schedule 2, of the Town and Country Planning (Use Classes) Order 1987 (as amended).
Reason: In the interests of the amenity of future visitors to the site and to accord with policies LP24 of the Kirklees Local Plan and Chapter 8 of the NPPF.

4. Notwithstanding the details submitted with this application relating to measures to minimise risk of crime, the development shall not be brought into use until a scheme has been submitted to, and approved in writing by, the Local Planning Authority which sets out all measures to minimise the risk of crime and meet the specific security needs of the application site and the development. This shall be in the form of a Building, Facility, & Operation Management Plan. The submitted scheme shall include, but not be limited to, details of the number of staff within the bed and breakfast both during the day and overnight and CCTV systems and their location around the premises. Measures and system to keep a record of guests / residents and timeframe for the keeping of such records. The development shall not be brought into use until the approved scheme has been implemented, which shall be thereafter operated for the lifetime of the development.
Reason: To ensure that safety and security measures have been agreed in pursuance of the Council's duty under Section 17 of the Crime and Disorder Act 1998 and to accord with Policy LP24 of the Kirklees Local Plan and the policies contained within Chapters 8 and 12 of the National Planning Policy Framework.

5. At no time shall there be in excess of 15 person(s) utilising the application site for overnight accommodation within use class C1 of

schedule 2, of the Town and Country Planning (Use Classes) Order 1987 (as amended). None of the rooms hereby permitted shall be occupied by, or let to, the same person for a continuous period of a length of time exceeding 28 days with a requirement to have a minimum of 14 days no return between bookings for the same person and shall not be occupied by any person(s) as their sole or main place of residence. A written record of all occupants of all the bed and breakfast rooms shall be kept for the lifetime of the development for the inspection of the Local Planning Authority. This written record shall contain full name(s) and contact address(es) for any person(s) that use any of the bed and breakfast rooms.

Reason: In the interests of the amenity of the occupiers as the accommodation is unsuitable for a person to experience these living conditions for an extended period of time and safety and security, in pursuance of the Council's duty under Section 17 of the Crime and Disorder Act 1998 and to accord with Policy LP24b of the Kirklees Local Plan and Policies within Chapters 8 and 12 of the National Planning Policy Framework.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Existing and Proposed Site and Roof Plans and Elevation (AA)	BA-90.103-EXPP02203	0	07.06.23
Bike Shelter	1.0	-	06.09.23
Proposed Internal Bathroom Pod	PAD.108.1216	-	06.12.23
Existing Rear & Front Elevations	PAD.108.1218	-	06.12.23
Existing Basement & Ground Floor Plans	PAD.108.1213	-	18.01.24
Existing First & Second Floor Plans	PAD.108.1214	-	18.01.24
Proposed First & Second Floor Plans	PAD.108.1219	-	18.01.24
Location Plan, Section, Site Arrangement Plan	PAD.108.1220	-	18.01.24
Proposed & Existing Side Elevations	PAD.108.1217	A	06.03.24
Proposed Basement & Ground Floor Plans	PAD.108.1215	A	07.03.24
Heritage Statement	-	-	07.06.23
Design and Access Statement	-	-	07.06.23
Supporting Statement	-	-	06.12.23
Supporting Information (Kitchen)	-	-	17.07.23

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 preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Amended plans were submitted in response to consultations from KC Conservation and Design.

Report Dated: 22.04.24