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:	**2023/62/93495/E**
Site Address:	Land rear of, Yorkshire House, South Street, Dewsbury, WF13 1JT
Description:	Erection of hotel (within a Conservation Area)
Recommending Officer:	Katie Chew

DECISION – Refuse

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Nick Hirst

AUTHORISED OFFICER

Date: 07/02/2025

Application: 2023/62/93495/E

Site: Land rear of, Yorkshire House, South Street, Dewsbury, WF13 1JT

Proposal: Erection of hotel (within a Conservation Area)

Site Description

The site relates to a parcel of land to the rear of Yorkshire House, in Dewsbury. At the time in which the site visit was undertaken, the site appeared to be used for the storage of bins and unwanted building material, however, the Highway Statement states that the site is currently utilised as a car park. Access can be gained from the corner of the site off of School Street.

Surrounding uses include a car sales and private car park to the west, Howlands Social Centre/Community Hub to the east in the former C of E School building, as well as residential development of 8 residential flats directly north on School Street, permitted under application 2012/93586. To the south is Yorkshire House which comprises of a mix of residential flats and retail units.

The site is partially located within Dewsbury Town Centre Conservation Area to the north, with several Listed Buildings located to the north off Daisy Hill.

Description of Proposal

The application seeks consent for the erection of a hotel (within a Conservation Area).

The proposal seeks planning permission for the erection of a four-storey hotel (albeit the majority of the ground floor would be on stilts). The hotel would consist of 33 guest rooms, along with a reception, dining room, kitchen, linen/store and staff area including W/C on the first floor.

The hotel would be broadly rectangular in footprint, with a curved element to the first-floor reception area. The northern staircase would project slightly from the main part of the building.

The scheme proposes four car parking spaces underneath the building at ground floor level, along with a turning head for deliveries. The remainder of the site would be landscaped with a bin store shown to the north-west.

The hotel is to be constructed utilising a mix of red brick, render and sandstone rain screen cladding to the walls, and grey single ply membrane to the roof.

History of negotiations/amendments received

No negotiations or amendments have been sought as part of the application process, as officers have substantial and strong concerns regarding the design/location of the development. Amendments to make the proposal acceptable, if feasible, would be excessive and beyond the scope of this application to accommodate. Furthermore, some of the previous reasons for refusal under application 2022/92313 have not been materially progressed or addressed.

Relevant Planning History

The following historic applications are relevant to the proposed scheme and concern Yorkshire House adjoining directly to the south:

At the application site:

98/93205 – Outline Application for Retail Development – Approval Subject to Conditions

The outline application is no longer extant as dedicated reserved matters applications were not submitted within the timescales set out within the decision notice.

2004/95343 – Change of use and alterations of ground floor offices to 3 to no. A3 (food and drink) units and 1 no. shop unit – Approved Subject to Conditions.

The red-line boundary of this permission includes the car park that comprises the site for 2023/93495. The plans for this permission indicate that it has been implemented and that planning units at the ground floor of Yorkshire House have a reliance on the car parking at the rear where the hotel is cited.

2006/93182 Change of Use from Offices to Gymnasium – Approved Subject to Conditions

The red-line boundary of this permission includes the car park that comprises the site for 2023/93495. It is considered that the permission for the gym and creche at the third floor remains active until such time as the residential use permitted under 2016/93368 is implemented.

2016/92503 – Prior approval for proposed change of use of the first, second, and fourth floors from offices (Class B1(a)) to 24 dwellings (Class C3) – Prior Approval Granted Subject to Conditions.

The car park at the rear of Yorkshire House is not within the red line boundary for this granting of prior approval, however it is situated within a blue line boundary denoted on the approved location plan. The supporting documentation makes no reference to the requirement to use the car park.

2016/92665 – 'External Alterations' – Approved Subject to Conditions

The car park at the rear of Yorkshire House is not within the red line boundary for this permission however it is situated within a blue line boundary denoted on the approved location plan. The supporting documentation makes no reference to the requirement to use the car park.

2016/93368 - Alterations to convert 3rd floor gymnasium to 8 apartments – Approved Subject to Conditions.

The car park area is not indicated to be within either the red-line boundary provided, and no blue line boundary is indicated. The application makes no indication of the development's reliance upon the car park in the submitted documentation.

2021/91639 Removal of Existing roof top shisha bar and café and erection of extension and formation of 7 flats – Pending Consideration.

This is an application that is yet to be determined at Yorkshire House directly south of the site.

2022/92313 Erection of hotel (within a Conservation Area) – Refused.

With regard to the above history list, the permission most pertinent to this application is 2004/95343, as it indicates that the commercial units located at the ground floor of Yorkshire House have reliance on the proposal site as a car parking area for the purpose of staff and customer parking.

Representations

Final publicity date expired: 17/08/2024

As a major development, within Dewsbury Town Conservation Area and adjacent to Listed Buildings, this application has been advertised by neighbour letters, site and press notices.

Eight representations have been received in objection to the proposals. Full versions (with person details redacted) can be found on the council's website, with the matters raised summarised below:

Principle of Development

- What value would a hotel be to Dewsbury in its present state.

- There is no consideration made for the proposed residents needs in the locality.

- The area is already struggling economically and socially with significant pressures on those residing in and around School Street and the few businesses and charities that remain active. It is no considered that this is an attractive option to enhance the development of this area.

- There is a lack of alignment with Town Board ideals and proposals for the development of Dewsbury.

Officer note: Noted. These matters are considered and discussed in more detail within the principle of development section of this report.

Highways and Access

- The infrastructure of such a small road on a one-way system would leave both domestic drivers, commercial and public transport services struggling to accommodate this hotel's location.

- 4 car parking spaces are proposed to be provided, 2 of which are to be classed as disabled, none of which are already in situ. On this basis it is unclear how upwards of 63 people (visitors and staff) are likely to be able to use the 4 spaces This as well as the added volume of vehicular and pedestrian traffic will have a huge impact on Howlands and centre users.

- It is believed that Howlands would have to be knocked down in order to give room for parking, and this building has historical interest.

Officer note: Noted. The Council's Highways team have been consulted on the proposals; their comments can be found within the consultation responses and highway safety sections of this report.

Residential Amenity

- There are no dimensions on the drawings to assess the size of the rooms nor is there any indication as to how accessible these rooms will be including storage and layout of toileting facilities.

- The rooms do not show luggage storage, wardrobes/drawers.

- There is a lack of facilities proposed for the residents.

- Concerns over the loss of light.

Officer note: Noted. This is discussed in more detail within the residential amenity section of this report.

Heritage Assets/Urban Design

- Concerns over the proposed design of the building being out of character with the local area.

- The Heritage Statement is not produced by a suitably qualified person as far as we can tell.

- A landscape design is not provided.

- An archaeological intrusive survey is required prior to approval.

- The proposals will be of detriment to the historical building next door and the recently completed historical improvement at 44 Daisy Hill.

Officer note: Noted. This is discussed in more detail within the visual amenity, heritage assets and landscaping sections of this report.

Crime and Safety

- The high density proposed followed by the likelihood of criminality supported by the local population in an area which is already stretched for policing etc.

Officer note: Noted. The Council's Crime Prevention team have been consulted on the proposals; their comments can be found within the consultation responses section of this report.

Drainage/Sustainability

- Grey water storage is proposed – it is unclear where this is likely to be located.

- No rising mains or service ducts are shown in the plans.

- Heat pumps are proposed – it is unclear where these are proposed to be located.

- The drainage assessment is not conclusive nor is it a design as required with location and size of an attenuation storage.

Officer note: Noted. The Council's LLFA team have been consulted on the proposals, their comments can be found under the consultation responses and drainage/flooding sections of this report. Details on heat pumps and grey water storage can be found within the climate change section of this report.

- No sprinkler tank is shown in the plans, constituting a risk that ought to be considered by the Fire services.

Officer note: Noted. The West Yorkshire Fire Authority were consulted on the application but raised no concerns or comments.

Other Matters

- The last thing Dewsbury needs is an immigration centre. I strongly believe it will cause the town to decline further.

- It is not clear exactly what the intended purpose of this hotel is.

- Concerns in regard to an increase in litter.

- There is a high and inappropriate number of residents density in a zone which is earmarked for improvement.

- There is an overload on the existing services which cater for vulnerable and needy people.

- The effect of large numbers of displaced people will have in the town centre.

Officer note: The application has been assessed on its own planning merits. The above are not considered to be material planning considerations.

Dewsbury Chamber of Trade Comments provided the following representation –

> *'I write to object to this application on behalf of 35 business owners and other members of Dewsbury Chamber of Trade having interests in Dewsbury.*
>
> *We are aware that objections have been made in detail by others and the Chamber supports all such objections as reflecting: the low standard of accommodation being offered, the neglect by the applicant of detailed planning requirements, the historic record of poor property management by the applicant as evidenced by their past record with Yorkshire House the minimal level of 'hotel' service this proposal offers to the public. the risk created to the long-term plans for Dewsbury.*
>
> *We regard these as having a negative impact on the character of the area due to the demographic that the proposal is clearly designed to attract and; that the proposal is in direct conflict with the aims of the long-established Strategic Development Framework, the Blueprint, the Town Investment Plan and Long-Term Plan for Dewsbury which call for an improvement in the quality of accommodation and the environment in the Daisy Hill area to which this proposal is adjacent.*
>
> *The plans provided showing only the smallest possible single rooms. Despite the connecting doors this demonstrates that the applicants target market is single users on a low income, quite contrary to the council's strategic objective of attracting new residents with disposable income to this quarter of the town. Visitors with disposable income*

looking to move to or to invest in Dewsbury are more likely to be deterred by the standard offered rather than encouraged.

A hotel is intended to provide accommodation for travellers who are most likely to be users of the car or train. The minimal level of car parking available does not match the description of the hotel leaving only those traveling by bus or on foot as potential customers. Any argument that this hotel is intended to serve the bus station is not credible as, in practice, any hotel users are most unlikely to travel by bus.

Dewsbury is, indeed, in need of genuine hotel accommodation to support both tourism and the business community. Had the applicant converted Yorkshire House into a hotel with car parking available it is likely that this would have received our support. However, adding more low standard, low cost barrack room accommodation connected to the existing poor standards and management of Yorkshire House does not match the long term plans of the council nor the aspirations of the people of Dewsbury to see an improvement in the social fabric of this area of town.

Similarly, and to repeat our previous objection, building over the car park removes any flexibility for future owners of the property to return to normal standards.

The application can only increase the number of single, low-income users in the town centre. If the long-term cost of the rooms is less than or the same as a single resident might pay for a one bed flat then it could easily fill up with semi-permanent residents and become a low cost, residential hostel rather than any pretence of being a hotel.

The application is for a 'hotel' which we presume to be Use Class C1 (Hotels). We note that there is provision for change of use in this category. Should the council feel obliged to grant approval despite local objections then we must ask that conditions are attached that: no change of use will be allowed in future. the applicant should not be enabled to bid for block bookings by or on behalf of government agencies'.

2 general comments were also received. These are summarised below.

- Concerns in respect of the lack of parking available for future customers of the hotel.

Officer note: Noted. The Council's Highways team have been consulted on the proposals, their comments can be found under the consultation responses and highway safety sections of this report.

- No one will want to come to a hotel in Dewsbury where there are no businesses and no retail or bars and cafes.

Officer note: Noted.

- This is a Conservation Area and money is being invested on both the look and feel of the town centre, in particular on Daisy Hill to bring back buildings that have modern interiors but retain the historical feel of the neighbourhood.

Officer note: Noted. This is discussed in more detail within the visual amenity and heritage assets section of this report.

- How does this initiative fit within the Dewsbury blueprint. If we want to change the nature of our town centre, we need to ensure that all planning applications support the principles of the blueprint.

Officer note: Noted. This is discussed in more detail within the visual amenity and heritage assets section of this report.

- Concerns that the hotel will be used for anything other than its intended use.

Officer note: Noted. Should planning permission be granted and the hotel be used for anything falling outside of what has been applied for under this application, the applicant would be in breach of planning permission, and this would then need to be investigated by the Council's Planning Enforcement team.

Consultation Responses

The following is a brief summary of consultee advice (more details are contained in the Assessment section of the report, where appropriate):

KC Crime Prevention – Object to the proposal citing potential for crime from the proposed scheme.

KC LLFA – No objections subject to the inclusion of conditions relating to drainage details, overland flow routing, construction phase surface water flood risk and pollution prevention plan and pollution prevention in respect of fats, oils and grease.

KC Highways Development Management – Highways Officers are unable to support the proposals as submitted. The proposals would result in an unacceptable loss of parking. Required details include swept path analysis to demonstrate that a 11.85m long refuse vehicle can reverse into the site without obstructing the flow of traffic along School Street.

KC Environmental Health – No objections subject to the imposition of conditions relating to noise from fixed plant and equipment, submission of a noise management plan, submission of a noise assessment report and

mitigation scheme, land contamination, details of a kitchen extract system, submission of an odour impact assessment and construction environmental management plan.

WYAAS – No objections however, an archaeological evaluation would be required prior to determining the application, in such case of an approval.

KC Waste Strategy – Waste Strategy raise concerns in respect of how a Refuse Collection Vehicle would enter the site safely, noting that any proposals should consider the potential impact on pedestrians and motorists when waste collection is occurring at the site.

KC Ecology Unit - No comments received within statutory timescales.

KC Conservation & Design – The Conservation and Design Team have concerns about this proposal. They consider it to harmfully impact on the setting of the conservation area and feel that a more sensitive proposal could be designed, with more consideration given to the historic character of the locality.

West Yorkshire Fire Authority – No comments received within statutory timescales.

Yorkshire Water – No objection subject to condition.

KC Trees – No objections to the proposals.

KC Landscape - No comments received within statutory timescales.

Local Ward Members

The site is within the Dewsbury East ward, where members are:

- Cllr Eric Firth
- Cllr Paul Moore
- Cllr Cathy Scott

All ward councillors have been notified of the submission.

Planning Policy Background

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 27/02/2019).

The application site is located within Dewsbury Town Centre and partially (to the north) located within Dewsbury Town Centre Conservation Area. It is also

located in close proximity to several Listed Buildings to the north-east and north-west and is adjacent to a Bat Alert Area (to the west and south).

Kirklees Local Plan (LP):

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP3 – Location of New Development
- LP4 – Providing Infrastructure
- LP7 – Efficient and Effective Use of Land and Buildings
- LP9 – Supporting Skilled and Flexible Communities and Workforce
- LP13 – Town Centre Uses
- LP18 – Dewsbury Town Centre
- LP20 – Sustainable Travel
- LP21 – Highways and Access
- LP22 – Parking
- LP24 – Design
- LP26 – Renewable and Low Carbon Energy
- LP27 – Flood Risk
- LP28 - Drainage
- LP30 – Biodiversity and Geodiversity
- LP32 - Landscape
- LP35 – Historic Environment
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and Improvement of Environmental Quality
- LP53 – Contaminated and Unstable Land

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 12/2024, the Planning Practice Guidance Suite (PPGS) first launched 06/03/2014 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 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 11 – Making efficient use of land
- Chapter 12 – Achieving well-designed and beautiful places

- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Other Relevant Supplementary Guidance/Documents and Other Local Material Considerations:

- Kirklees Highways Design Guide (2019)
- Waste Management Design Guide for New Developments (Version 5, October 2020)
- MHCLG: National Design Guide (2021)
- Development on Land Affected by Contamination – Technical Guidance (2017)
- Dewsbury Conservation Area Appraisal
- Dewsbury Design Guide
- Dewsbury Heritage Action Zone
- Dewsbury Blueprint
- Dewsbury Town Centre – Strategic Development Framework & Delivery Programme 2018
- Dewsbury Townscape Heritage Initiative Documents
- Biodiversity Net Gain in Kirklees Technical Advice Note (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions
- Kirklees Climate Change Guidance for Planning Applications

Summary of Assessment

The following matters are considered in the assessment below -

- Principle of development
- Impact of the proposed development upon the visual amenity of the area and heritage assets
- Impact of the proposed development upon the privacy and amenity of neighbouring properties
- Impact on highway safety
- Other matters
- Conclusion

Principle of Development

Given the commercial nature of the proposal, the following Local Plan Policies are applicable in this instance: LP1 – Presumption in Favour of Sustainable Development, LP2 – Place Shaping, LP3 – Location of New Development, LP7 – Efficient and Effective use of Land and Buildings and LP13 – Town Centre Uses.

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 Paragraph 11 of the National Planning Policy Framework.

Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

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

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored, where relevant.

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".* The Dewsbury and Mirfield Place Shaping Statement under LP2 identifies Dewsbury Town Centre as a strategic location for growth that will be driven by housing and economic development in the town centre. A challenge to growth identified in the Place Shaping Statement is that Dewsbury Conservation Area is on the heritage at risk register. The application form indicates that the proposal would generate up to 24 full time equivalent jobs within Dewsbury Town Centre, although this claim has not been substantiated and seems excessive for a 33 room hotel, nevertheless, a level of job creation would be expected which would indicate that the proposal would provisionally comply with LP2, subject to other material considerations, such as design and heritage matters, which shall be considered elsewhere within this report.

Kirklees Local Plan Policy LP3 requires development to reflect spatial priorities for urban renaissance and regeneration and the need to provide for new jobs. Undoubtedly the proposal would provide jobs for the local area, however discussions relating to the proposal's impact on the appearance (inclusive of scale, materials and layout) and heritage of the local area is determined to be less clear – these matters will be discussed in greater detail within the assessment below. Nevertheless, given the outcome of the design and heritage analysis, it is not felt that the current submission would contribute to the urban regeneration of Dewsbury and could in fact add to issues within the town centre through displacement of off-street parking availability tied to adjacent commercial units at Yorkshire House. As such the proposal is deemed to be contrary to Policy LP3 of the Kirklees Local Plan.

In respect of Local Plan Policy LP7 and the need to use land and buildings efficiently and effectively, the policy promotes the adaptation of underused properties provided that they are not of high environmental value. The site is

considered a 'Built Up Area' under the Local Plan's Biodiversity Opportunity Zones and is partially within a conservation area, but otherwise has no special environmental designation or protection. Overall, there are no Officer concerns in respect of meeting the requirements of LP7 to more effectively use land other than the reliance of commercial units on the site's current use as surface car parking.

With regard to Local Plan Policy LP13 Dewsbury is a principal town centre and the proposed development for a C1 Hotel use would be in line with the main town centre uses permitted in principal town centres, as set out in the Glossary of the Kirklees Local Plan.

The proposal partially meets the requirements of the Kirklees Local Plan in respect of Policies LP7 and LP13 as regards place shaping, the efficient use of land and the location of the proposed use. However, the proposal is at odds with the Strategic Spatial Priorities for Dewsbury in respect of regeneration due to its appearance and heritage impacts as well as its potential to displace parking that is tied to an existing permission (2004/95343). There are undoubtedly positive elements to the scheme in respect of job creation that would partially meet the requirements of Policies LP2 and LP3, however the multiple concerns previously cited outweigh this economic benefit given the long-term potential for the proposal to detract from the regeneration of Dewsbury Town Centre.

Urban Design, including the historic environment

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design which reflect and respect the key characteristics of the development in the local area, thus retaining a sense of local identity. LP24 states that all proposals should promote good design by ensuring the following:

> *"a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…"*
>
> *c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details…".*

Additionally, Policy LP18 requires proposals within Dewsbury Town Centre to preserve and enhance the town's cultural and architectural heritage and open spaces.

Further to the above, the site is adjacent to a historic environment. Sections 66 and 72 of Planning (Listed Buildings & Conservation Areas) Act 1990 introduce a general duty in respect of conservation areas and listed buildings. In considering whether to grant planning permission for development which affects a heritage asset or it's setting, the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Sections 66 and 72 of the Planning (Listed Building & Conservation Areas) Act (1990) are built upon by Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

The heritage assets identified as being affected by the proposal, and their considered heritage value are:

- Howland Centre: a former school building to the east of the site which is dated 1843 and is of good architectural quality. Although outside the conservation area and not listed, the school building is a non-designated heritage asset by virtue of its high-quality architectural form, which is characteristic of its era of construction.

- 63 Daisy Hill: On the corner of School Street and within the Conservation Area, 63 Daisy Hill retains its overall form and vernacular character, and its origins as a late C-18/early C19 house. 63 Daisy Hill is also an interesting example of a residential building which was converted for retail and warehouse uses that reflect the development of Dewsbury town centre in the C19 and C20 as the towns textile trade and prosperity grew. This building also has a strong group value with other listed buildings found on Daisy Hill, including 85-87 Daisy Hill and Central Methodist Church.

- Dewsbury Town Centre Conservation Area: Daisy Hill is a designated area within the Dewsbury Heritage Action Zone, a regeneration initiative within Dewsbury Town Centre which aimed to restore and enhance heritage assets and promote the quality of its environment. This has achieved some results over recent years and other projects are still ongoing. Daisy Hill is also a key area within the Dewsbury Blueprint, a 10-year plan for the town.

  The predominant character of the Daisy Hill area is two and three-storey retail and commercial premises, many of which are terraced and date to the early 19th century. They are mostly constructed in natural stone with pitched slate and stone slate roofs. Some elements are in brick and some elevations have been rendered. School Street is more industrial in character, with a heavily altered three-storey former warehouse building and a smaller historic industrial building, along with 20th century infills. The former school at the southern end of School Street is a focal point when viewed from Daisy Hill, with the rear of the mid-late 20th century Yorkshire House dominating the background and causing harm to the setting of this building and the conservation area.

  The above view is supported by the Dewsbury Conservation Area Appraisal, of which Character Area 4, specifically Daisy Hill, is stated to comprise of two-storey and compact three storey buildings, which when coupled with the finer grain of the narrow street and gentle curve as it rises up hill, creates a more informal and intimate character area.

Furthermore, the slope of Daisy Hill levels off adjacent to the raised courtyard entrance space in front of the Methodist Church, which marks the transition of a different character of streets and built form with a more planned and formal layout.

Section 6.5.3 of the Dewsbury Conservation Area Appraisal notes that any future designs for back land development needs to be appropriate for their sensitive locations, with specific reference made to Daisy Hill. It is also outlined that designs for any gap sites that are outside but adjacent to the Conservation Area boundary should also respect the local historic townscape.

Whilst the applicant has submitted a Planning & Heritage Statement, this Statement does not provide any details on the significance of the affected heritage assets.

While the site is not within the Conservation Area, from a general urban design perspective, the above consideration of the CA's value also sets the context for the wider surrounding area. While not within the CA, the built environment to the east, south, and west of the site has similar characteristics, namely traditionally built buildings, with coherent roof forms and architectural detailing (including fenestration), and with building constructed principally in stone. Buildings are largely, although not exclusively two or three storeys, and are laid out closely to the highway.

In this instance, the form and layout of the building has little merit in terms of its shape as it largely resembles a rectangular cube owing to its flat roof which, in combination with a lack of articulation or texture to the façade, is inferior to similar mid-20th Century development immediately adjacent at Yorkshire House, 6 School Street and 47 Daisy Hill. These concerns are also considered to be greater when considered within the context of the more traditional buildings, such as 63 Daisy Hill and the Howland Centre which, though more classical in style, provide positive character elements within and adjacent to the Conservation Area.

Again, as outlined within the previous refusal (application ref: 2022/92313) the development has not included the use of natural stone in any part of its detailing and uses ordinary and unremarkable materials – indicated as red brick and rain screen cladding on the application form, despite being located on the edge of the Dewsbury Town Centre Conservation Area, where natural stone is the predominant finishing material. By way of a further contrast, the similar 20th Century buildings previously identified – those being Yorkshire House and 47 Daisy Hill – both include natural stone in the detailing of their principal elevations.

As mentioned previously, Natural Yorkshire stone is the material which gives Dewsbury its distinctive character and its lack of inclusion within the building is considered to be a significant detraction from the design quality of the hotel proposed, which fails to reflect and respect the predominant character of the area. The hotels reliance on stone rainscreen cladding does not accord or

reflect the local area's core characteristics and given the large amount of cladding proposed, detracts from the overall visual appearance of the building.

The inclusion of red brick on the stairwell sections of the building is not necessarily unwelcome, as red brick can be found within secondary elevations of surrounding buildings across School Street, South Street and Daisy Hill. If implemented well, such a material could help raise the design standards of the building and better reflect the character of the area. However, no detailing of the type of brick or their coursing has been provided, leaving this matter unresolved and failing to mitigate the harmful impact of the cladding.

A heritage statement has been submitted with the application. This statement outlines that following the previous refusal, the overall scale and massing of the hotel has been reduced by 2 storeys, with additional landscaping introduced to offset the very limited existing visual benefit of the small number of immature trees on part of the site. The proposed hotel is to be elevated from the ground to enable parking and landscaping, with floors above, so would be in effect a four-storey building. The applicant notes that although a multi-storey building, there are a variety of designs and associated massing in existing buildings within the centre and in the immediate area of the site.

Justification for the proposal is that most of the site is outside the Conservation Area, and that the part of the site that falls within the Conservation Area is currently derelict and being used for unauthorised tipping. It is contended by the applicant therefore, that the proposed plans would enhance the setting of the heritage asset. Furthermore, the applicant is of the view that the amendments (compared to the previous scheme) to the scale, design and materials have reduced the harm to a lower level and should be considered less than substantial. The heritage statement considers the public benefits to be substantial by boosting the local economy, creating employment opportunities and using a location which encourages sustainable transport.

Summarising the above and taking into account the considered heritage value of the aforementioned heritage assets (Howland Centre, 63 Daisy Hill and Dewsbury Town Centre Conservation), Officers are of the view that the building is overly contemporary in design and would appear at odds with the local traditional architectural characteristics, most specifically with the adjacent Howland Centre which is known for its high-quality architectural form. The building also fails to respond to key local characteristics, including having a flat rather than pitched roof, stone rainscreen cladding which is presumed to be ashlar, and a lack of architectural detailing to the external elevations, with the building set onto columns. Overall, the proposed building would be expected to appear as an unusual design in this context, which has outlined within the Dewsbury Conservation Area forms an intimate and fine-grained ambience. Officers consider the building's massing would dominate the surrounding street scene, particularly the former school building, and

consider it to make a negative contribution to the local character, detracting from the vernacular character of the adjacent heritage assets.

As regards to the archaeological impacts of the proposed development, the site lies close to Dewsbury Minster, a known pre-Norman Conquest church and early religious centre. The site of the medieval Moot Hall lies nearby. Although this building was demolished for road widening in the 1960s its presence points to a secular administrative role at Dewsbury as well. There is a less precise account indicating buried walls and artefacts were found in Church Street during the early 19th century (WHYHER MWY839, 3767 and 13263). Although the application site lies to the north and west these known remains it is possible that it is located in an area settled from the early medieval period onwards. Given the above evidence the West Yorkshire Archaeological Advisory Service they confirm that any such impacts are able to be dealt with through an appropriately worded condition that would require the developer to have an archaeological watching brief throughout the construction period, with details of the watching brief agreed prior to commencement.

In accordance with the NPPF, due regard must be given to the level of harm identified to the historic environment. In this case, officers consider the harm would be less than substantial. This is because, notwithstanding the comments made, the identified heritage assets, while having their setting harmed and degraded, would continue to function as appreciable quality heritage assets (i.e., the proposal would not substantially detract or remove their heritage value). However, Paragraph 212 of the NPPF states:

> *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

When considering proposals resulting in less than substantial harm, the paragraph 215 of the NPPF states:

> *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

The main public benefit identified within the supporting Planning and Heritage statement would be that the development would assist in boosting the local economy. More particularly, it is considered that there would be economic benefits with the development in terms of employment creation and environmental benefits relating to the sustainable location, resulting in options for travel other than private motor hire.

The public benefits identified above have been noted, however, they have not been substantiated with robust evidence. The applicant does not have control of how customers will travel to the hotel and may still predominantly rely on off-site parking facilities in the absence of on-site parking spaces. Likewise, the scope of economic benefits has not been quantified and the creation of 24 full-time employees on the application form has also not been substantiated in respect of the detail of the hotel's operating requirements nor the pay levels for the identified roles. This is not to say that the proposed development would not have an economic benefit, however, given the design and heritage concerns raised above, the benefits are not considered to overcome the harm to Dewsbury Town Centre Conservation and the setting of the nearby Listed Buildings.

Overall, the proposed development is found to consist of less than substantial harm to the designated heritage assets. The harm, though less than substantial, still carries great weight and is not considered to be outweighed by the development's public benefits and is thus contrary to Policies LP18, LP24, and LP35 of the Kirklees Local Plan, as well as Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and Chapters 12 and 16 of the National Planning Policy Framework.

Residential Amenity

Sections B & C of the Kirklees Local Plan Policy LP24 which states that alterations to existing buildings should:

> *"Maintain appropriate distances between buildings' and '…minimise impact on residential amenity of future and neighbouring occupiers'.*

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Paragraph 187 of the NPPF, contained within Chapter 15, sets out that proposals should mitigate and reduce to a minimum any potential adverse impacts resulting from noise from new development Policy LP52 of the Kirklees Local Plan seeks to ensure that, amongst other things, the impact from the noise for new development is acceptable.

Policy LP52 is considered to be of relevance and sets out that development which has the potential to increase pollution from noise must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level.

The development would be situated directly north of Yorkshire House which hosts 24 residential flats. It is also important to note that Yorkshire House is also subject to a further planning application at the fourth floor (reference 2021/91639) for the removal of the existing roof top shisha lounge and café

and erection of extension and formation of 7 flats. This application is still pending consideration. Nonetheless, the proposed floor plans for Yorkshire House (approved under 2016/92503), includes habitable room windows that serve 3 residential units (identified as 1.1 (first floor), 3.1 (second floor) and 3.1 (third floor)) that would face onto the development at a distance of approximately 15.3m. The proposal would be 4 storeys, with a height of 12.7m. Officers have concerns over the proposed relationship between windows provided within units 1.1, 3.1 and 3.1 given that these are to be perpendicular to the external wall of Yorkshire House's staircase. It is therefore considered that the proposal would have an overbearing effect on these habitable room windows, which provide the sole outlook for the identified existing units.

In addition to the above, it is also possible that the proposals would, when combined with the roof slope of the neighbouring community centre, provide a tunnelling effect upon the only habitable room windows serving units 1.8 (first floor), 3.8 (second floor) and 3.8 (third floor) within Yorkshire House. This would diminish the light serving these windows, particularly to those on the lower floors.

As concerns the potential amenity impacts on residential units to the north of the development site, Officers have assessed the potential for harm and consider that the site-orientation and relationship between the proposed hotel and the residential units under construction at the Old Auction Rooms on School Street could result in some issues with overshadowing. However, the permission of these units is no longer extant (2012/93586), despite works being undertaken on the building in 2023 to make it watertight. The works, which include the provision of flat-roof dormers that were never originally permitted, consist of a breach of planning control on account of the permission no longer being extant, and therefore a reason for refusal in this respect cannot be substantiated.

With regard to other types of amenity issues, specifically noise, odour and contaminated land, consultation has been undertaken with the Council's Environmental Health team who have confirmed that such issues could be resolved through the use of appropriately worded conditions.

In summary, the proposals are therefore not considered to accord with Local Plan Policy LP24 and Chapter 12 of the National Planning Policy Framework.

Highway Safety/Access

Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

With special regard to this application, clauses f and g of LP21 are pertinent. The former requires all proposals to take into account access for emergency, service and refuse vehicles whilst the latter requires all proposals to provide on-site safe, secure and convenient cycle parking/storage facilities to encourage sustainable travel modes.

In terms of the provision of cycle spaces/storage and Electric Vehicle Charging Points, should planning permission be granted details of their proposed specification, location and number would need to be secured via condition.

It is identified that development permitted under 2004/95343 is in use at the ground floor of Yorkshire House. The site area for this application is tied to the 2004 permission through inclusion of the parking area at the rear of Yorkshire House up to School Street in the red line boundary of that application, as well as the citation of 18 existing parking spaces, supplemented by a further 2 spaces resulting from the development, cited in the application form for 2004/95343.

The applicant has sought to address this concern within the submitted Planning and Heritage Statement, they outline that the scheme now introduces some parking and whilst the proposals would technically result in the loss of existing parking, the site has not been operated as parking for a considerable period of time. They note that this has not resulted in any highway safety or on-street parking problems because the town centre location of the site means that there is more than sufficient alternative parking available in the area. Officers dispute this and consider that; this matter remain as made under the 2022 application. As such it is the opinion of the Officers that the car park at the rear of Yorkshire House, which this application intends to change the use of, is necessary for the effective operation of the uses permitted under 2004/95443 so that on-street parking issues are not created elsewhere. In addition, no evidence has been provided to show that the ground floor commercial units at Yorkshire House no longer require the car parking of the application site. Indeed, it is noted by Officers that due to the proposal site now being barriered off from use, car parking is now incurring access issues across the unadopted street situated to the west of Yorkshire House that is used to access the rear of 20-26 South Street.

Within the submitted planning and heritage statement the applicant has outlined that there is no parking standards set by the Council, so it is not straightforward to assess what requirements may be. However, they go on to state that the site is located within a highly accessible main town centre location and therefore, in their view, parking can be expected to look after itself through the availability of public car parking within the town, and through alternative modes of transport. Furthermore, the impact of the development in terms of traffic generation is expected to be minimal in view of its location.

The Council's Highways Officers were consulted on the proposals and note that this application is for a 3-storey hotel with 33 bedrooms, a reception and dining room. The proposals include a vehicle turning head suitable for a car or

a small van, 4 parking spaces including 2 disabled spaces, and a bin store located towards the entrance of the site.

The application is supported by a Transport Statement prepared by Paragon Highways. This statement refers to the intended servicing of the hotel being via smaller vehicles. KC Highways raise some concerns in regard to this as this type of servicing cannot be guaranteed. The applicant would need to demonstrate that a larger vehicle, such as a refuse vehicle (11.85m long), can reverse into the site and that servicing by larger vehicles can be undertaken without obstructing the flow of traffic along School Street. A Swept path analysis should also be provided.

Whilst the above comments are noted, given the case officer's conclusions in respect of the principle of development, impact on residential amenity, visual amenity, heritage assets and the previous refusal at the site, it was not considered reasonable to request the submission of these details, given the intended recommendation of refusal.

Undoubtedly the proposed hotel is sited in a highly sustainable location between Dewsbury's bus and train stations however, the Council would question the safety implications for the highway network from the removal of a surface car park required by neighbouring commercial units, as well as the feasibility of the development's access and servicing.

Taking the above into account, it is concluded that the scheme would result in additional harm in terms of highway safety, through displacement of existing car parking and concerns surrounding servicing of the site by larger vehicles and would therefore not comply with Local Plan Policies LP21 and LP22, and the guidance contained within Chapter 9 of the National Planning Policy Framework.

Land Contamination

With regard to land quality, paragraphs 187, 196 and 197 of the National Planning Policy Framework and policy LP53 of the Kirklees Local Plan which seeks to ensure land quality is maintained as part of new development.

KC Environmental Health note that the site of the proposed development is in close proximity to potentially contaminated land due to its previous use as (former mills and factories site ref:436/5 and 429/5). Also, the site may have contamination present due to its use as a car park and possible fly tipping. Whilst ENVH Officers have no objection to the proposed development they would expect a minimum phase 1 report and contaminated land conditions are therefore necessary. This is considered to be sufficient to mitigate against contaminated land on this occasion.

Flooding/Drainage

Policy LP28 of the Kirklees Local Plan & Section 14 ('Meeting the challenge of Climate Change, Flooding and Coastal Change') of the National Planning

Policy Framework and the National Planning Policy Framework technical guidance document are considered to be relevant in terms of foul/surface water drainage.

Policy LP27 of the Kirklees Local Plan relates to flood risk and sets out, amongst other things, a site-specific flood risk assessment and inclusion of flood mitigation measures be undertaken for developments.

The Drainage Assessment states that surface water from roof areas need to be drained but does not say how this will be achieved. The Drainage Assessment also states that hard areas within the site will be permeable and surface water will drain into the underlying soils.

However, Kirklees Council records show that the underlying soils are unsuitable for infiltration as there is a very significant potential for one or more geohazards associated with infiltration. Also, the presence of buildings in the area constructed early in the last century likely indicates that they will have cellars and there is a risk that increasing soakage into the ground will cause flooding to these below ground structures. Therefore, the LLFA does not consider infiltration into the ground as a viable method of disposing surface water.

The LLFA expects that the surface water run-off from roof and hard standing areas to be positively drained to an attenuation tank. Due regard would need to be given to the point of discharge, the discharge rate and the attenuation volume would need to be sized to contain a 1 in 100-year rainfall event (plus an allowance for climate change) without flooding off-site. The attenuated surface water flow should be discharged to the Yorkshire Water surface water sewer in School Street if practicable (subject to YW approval).

Taking the above into consideration, the Council's LLFA team support the proposals, subject to the inclusion of conditions relating to drainage details, overland flow routing, construction phase surface water flood risk and pollution prevention plan and pollution prevention in respect of fats, oils and grease.

Trees & Landscaping

Local Plan Policy LP33 requires proposals to retain any valuable or important trees where they make a contribution to public amenity. Where tree loss is deemed acceptable, developers will be required to submit a detailed mitigation scheme.

The trees on the site are semi-mature Cherry trees that provide some canopy cover and greenery within a heavily built-up urban area. The proposals will require the removal of the trees on the site given the constraints of this small site and the nature of the proposals. KC Trees were consulted on the proposals and note that Conservation Area 22 (Dewsbury Town Centre) is located to the north of the site, and the that the trees on site appear to be relatively poor specimens of Cherry, both of which have outgrown their

location and therefore their removal would be acceptable. KC Trees Officers therefore have no objection or further comments to make on the proposal.

Since the previous refusal (2022/92313), the applicant has sought to increase the level of landscaping proposed within the site. This includes additional grassed/planted areas to the southern, northern and eastern boundaries. Whilst this amendment is noted, it is considered reasonable that should planning permission be granted, details of both soft and hard landscaping should be provided prior to development commencing on site. This is to ensure that suitable landscaping and appropriate materials are provided and agreed at an appropriate stage in the development.

Biodiversity

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

It is noted that the application site is not located within a Bat Alert Area but is located adjacent to it. Nonetheless, given the nature of the site which comprises of a significant amount of hardstanding but will result in the loss of some Cherry trees, it is considered reasonable that should planning permission be granted bat boxes should be conditioned to be included within the construction of the hotel.

A Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 2nd April 2024 (for minor and other applications) is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the Local Planning Authority prior to commencement of the development.

The applicant has submitted The Statutory Biodiversity Metric calculation which shows that the site has an on-site baseline of 0.34 habitat units and 0.00 hedgerow and watercourse units, an on-site post intervention of 0.40 habitat units, and again 0.00 hedgerow and watercourse units, there would be an on-site net change of 17.83% of habitat units, and therefore the total net gain achieved would satisfy the trading rules.

Under legislation, a condition is in place by law. The biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. As such, it is not considered necessary for any further condition to be in place upon any grant of permission given the statutory requirements in relation to biodiversity. However, if minded to approve, an informative note would be included upon the decision notice to highlight this requirement to the applicant.

In accordance with The Act, due regard must also be given to whether the proposed net gain (including enhanced areas of existing habitat) amounts to a significant enhancement. Significant enhancements are areas of habitat enhancement which contribute significantly to the proposed development's BNG, relative to the biodiversity value before development. The Act requires that the maintenance of these significant enhancements must be secured with a legal agreement, for a minimum of 30 years.

In this case, the habitat proposed to be created is not considered to be significant owing to the current nature of the site which comprises of significant amounts of hardstanding, and the low level of enhancement proposed to the site, which would result in below 1 habitat unit. Maintenance of the enhancements proposed is therefore not deemed to be required by a legal agreement on this occasion.

Subject to the inclusion of the condition and informative, the proposal is considered to be acceptable with regard to the aforementioned policy and legislation.

Climate Change

As set out at paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF goes on to provide commentary on the environmental, social and economic aspects of sustainable development, all of which are relevant to planning decisions.

LP26 of the Kirklees Local Plan relates to renewable and low carbon energy, stating that renewable and low carbon energy proposals (excluding wind) will be supported, and planning permission granted where the following criteria are met:

a. the proposal would not have an unacceptable impact on landscape character and visual appearance of the local area, including the urban environment;
a. the proposal would not have either individually or cumulatively an unacceptable impact on protected species, designated sites of importance for biodiversity or heritage assets;
b. the statutory protection of any area would not be compromised by the development;
c. any noise, odour, traffic or other impact of development is mitigated so as not to cause unacceptable detriment to local amenity;
d. any significant adverse effects of the proposal are mitigated by wider environmental, social and economic benefits.

The Council approved Climate Emergency measures at its meeting of full Council on the 16/01/2019, and the West Yorkshire Combined Authority has pledged that the Leeds City Region would reach net zero carbon emissions by 2038. A draft Carbon Emission Reduction Pathways Technical Report

(07/2020, Element Energy), setting out how carbon reductions might be achieved, has been published by the West Yorkshire Combined Authority.

On 12/11/2019, 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.

The site is within the urban envelope, albeit on the edge of it. Nonetheless the site is considered a location sustainable for residential development. It is accessible, lying within an existing established settlement and close to various local amenities and facilities. Bus stops adjacent to the site give reasonable access to the district centre of Huddersfield, while Slaithwaite and its various amenities are within 1km walking distance. At least some, if not all, of the daily, economic, social and community needs of residents of the proposed development can be met within the area surrounding the application site, which further indicates that residential development at this site can be regarded as sustainable.

The application is supported by a Climate Change Statement, this statement outlines that amongst other things high performance windows, high efficiency air source heat pumps and solar panels are being considered to the roof. Builders and tradesmen are to be sourced locally alongside, materials which are to be sourced from local builder's merchants. Grey water harvesting is also being considered to supply water to the W. C's. As no details have been provided in respect of where/how the proposed air source heat pumps, grey water storage and solar panels are to be located, it is considered reasonable, that should planning permission be granted, these details be conditioned in the interests of both residential and visual amenity.

Regarding climate change, measures would be necessary to encourage the use of sustainable modes of transport. Adequate provision for cyclists (including cycle storage and space for cyclists), electric vehicle charging points, and other measures have been proposed or would be secured by condition, should planning permission be granted. These are referenced where relevant within this assessment.

Drainage and flood risk minimisation measures would need to account for climate change. These factors will be considered where relevant within this assessment.

Given the above, it is not considered reasonable to expect any additional information to be submitted in respect of meeting the Council's Climate Change Agenda.

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.

Though a C1 hotel use within Dewsbury is welcome, and whilst the amendments made to the previously refused scheme (app ref: 2022/92313) are noted, the formulation of the proposal is not considered acceptable in this location. Design and impact on heritage and lack of parking/no offset of parking for the established commercial units within Yorkshire House.

The proposed economic and environmental benefits outlined within the submitted Planning and Heritage Statement, again, have not been quantified and are significantly outweighed by the cumulative impacts identified in respect of transport, heritage, visual and residential amenity effects that the development would incur.

For these reasons, the proposal fails to comply with Policies LP18, LP21, LP22, LP24, LP35 of the Kirklees Local Plan and Chapters 9, 12, and 16 of the National Planning Policy Framework and is therefore recommended for refusal.

Officer Recommendation: Refuse.

Decision Authorisation – Delegated Powers

Reason(s) for Refusal:

1. The proposed development would incur the loss of surface car parking required for the effective operation of the uses at the ground floor of Yorkshire House (secured under application ref: 2004/95343). The loss and displacement of the parking provision would incur unacceptable highway safety issues on School Street and South Street, contrary to Local Plan Policy LP21(a, f) and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

1. The proposed development would constitute less than substantial harm to the setting of the nearby designated heritage assets 63 Daisy Hill and the Dewsbury Town Centre Conservation Area, on account of the development's height, massing and external material finish. The harm identified would not be outweighed by the public benefits of the scheme, those being primarily economic in nature, and the proposal is determined to be contrary to Local Plan Policies LP18(b, i) and LP35 of the Kirklees Local Plan, Sections 66 and 72 of the Planning (Listed

Building & Conservation Areas) Act (1990), as well as Chapter 16 of the National Planning Policy Framework.

2. Insufficient information has been provided to satisfy the Local Planning Authority that the current layout and form of the development is capable of allowing larger vehicles to safely reverse into the site and that the site can be serviced by larger vehicles without obstructing the safe flow of traffic on School Street. On the basis of the potential for highway safety issues being created as a result of the development, the proposal is found to be contrary to Kirklees Local Plan Policy LP21 (a, f) and Chapter 9 of the National Planning Policy Framework.

3. The design quality of the scheme, as concerns its form, scale and external appearance lack consideration of the positive character elements of the surrounding built form present across School Street, South Street and Daisy Hill. The proposal's layout and massing would result in an overdevelopment of the site, resulting in a detrimental effect on the visual amenity of the street scene, which would diminish the quality of Dewsbury Town Centre, contrary to Local Plan Policies LP18(b) and LP24(a), as well as Chapter 12 of the National Planning Policy Framework.

4. The height and proximity of the proposed development will adversely affect the amenity of residents whose dwellings have their main habitable room window located on the northern elevation of Yorkshire House. The development will serve to overshadow and overbear these residential properties, particularly those at first floor, resulting in a reduction in natural light entering habitable rooms, whilst at the same time significantly reducing the quality of the sole outlook that the affected dwellings currently enjoy. For these reasons, the development is determined to be contrary to Kirklees Local Plan Policy LP24(b) and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:

Plan Type	**Reference**	**Revision**	**Date Received**
Location and Site Plan as Existing	21-055-01A	-	28th November 2023
Site Plan & Elevations as Proposed	21-055-50B	B	26th June 2024
Plans as Proposed	21-055-51B	B	26th June 2024
Site Plan & Elevations as Proposed	21-055-52	-	28th November 2023
Drainage Assessment – Supporting Information	-	-	28th November 2023

Ecological Impact Assessment – Supporting Information	231036/EcIA/1.	-	26th June 2024
The Biodiversity Metric 4.0 – Calculation Tool – Supporting Information	-	-	26th June 2024
Crime Prevention Statement – Supporting Information	-	-	3rd May 2024
Planning and Heritage Statement – Supporting Information	-	-	28th November 2023
Transport Assessment – Supporting Information	2159A	Revision 1	10th May 2024
Appendix A – Climate Change Statement – Supporting Information	-	-	28th November 2023

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.

No amendments have been sought on this occasion as the proposals were considered to be wholly unacceptable upon submission and the number of amendments required to overcome officers' concerns would be beyond reasonable and the scope of the original application.

Report Dated: 07/02/2025.