Supporting Planning Statement

Change of use and alterations to convert existing student accommodation to form 2 self-contained flats and 5 bedroom HMO at 129 Trinity Street, Huddersfield, HD1 4DU

Date: Apr 24

Reference: TP0823

1.0 Introduction

1.1 This application is submitted by ***D5 Town Planning Consultants*** on behalf of Mr Allan Scholefield and seeks planning permission for the change of use and alterations to convert existing student accommodation to form 2 self-contained flats and a 5-bedroom HMO at 129 Trinity Street, Huddersfield.

2.0 Site description

2.1 The application site relates to a four-storey stone built building, located at the junction of Trinity Street with Vernon Avenue. It is physically attached to the property facing Vernon Avenue.

2.2 The property benefits from amenity space to the front and sides, with a driveway to the east of the property fronting Trinity Street. The site is residential in character with a high number of large Victorian houses with many being converted into flats or HMO's.

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

3.0 Relevant Planning History

3.1 2012/90516 – Change of use to convert dwelling to house of multiple occupancy (student accommodation) (Within a Conservation Area). Approved 27th April 2012.

3.2 2021/94305- change of use and alterations to convert existing dwelling to form 4 apartments and student accommodation (within a conservation area) – Refused 18 July 2022 *

*Whilst this application description referred to *existing dwelling*, the authorised use of the property was as per the 2012 planning permission at 3.1.

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4.0 Relevant Planning Policy

4.1 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).

4.2 ***Kirklees Local Plan Policies***

- ***LP1 – Achieving Sustainable Development***
- ***LP2 – Place Shaping***
- ***LP7 – Efficient and effective use of land and buildings***
- ***LP11 – Housing mix and affordable housing***
- ***LP20 – Sustainable Transport***
- ***LP21 – Highways and Access***
- ***LP22 – Parking***
- ***LP24 – Design***
- ***LP30 – Biodiversity & Geodiversity***
- ***LP35 – Historic Environment***
- ***LP52 – Protection and Improvement of Environmental Quality***

Other Guidance Documents:

- *Housebuilders Design Guide Supplementary Planning Document (2021)*
- *Kirklees Highway Design Guide (2019)*
- *Nationally Described Space Standards*

4.3 *National Policies and Guidance:*

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2023, and the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Most specifically in this instance, the below chapters are of most relevance:

- Chapter 2 – Achieving sustainable development
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed 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

5.0 Application details and Supporting comments

5.1 The application seeks planning permission for the change of use and alterations to convert existing student accommodation to form 2 self-contained flats and a 5-bedroom HMO. The layout of the proposed development is described below.

Flat 1 – (Basement) – 1-bed flat with kitchen, living room and bathroom (48.7sqm).

Flat 2 – (Ground Floor) 2-bed flat with kitchen, living room and wet room (46.2sqm)

Studio 1 (Ground Floor) Part of HMO – Living room (with pull down bed), kitchenette (no cooker) and shower room (25.6sqm).

Studio 2 (First Floor) Part of HMO – Living room (with pull down bed), kitchenette (no cooker) and shower room ((25.7sqm).

Bedroom 1 (First Floor) HMO – 13.2sqm.

Bedroom 2 (First Floor) HMO – 20.5sqm.

Bathroom (First Floor) HMO – 9.6sqm.

WC (First Floor) HMO – 1.7sqm.

Bedroom 3 (Second Floor) HMO – 21.5sqm.

Reading/Quiet Room (Second Floor) HMO – 12,7sqm.

Communal space with shared kitchen (Second Floor) – 20.1sqm.

Bathroom 2 (Second Floor) HMO- 7.5sqm.

Communal laundry facilities will also be provided.

5.2 A good starting point for consideration of the application is looking at application 2021/94305 that was refused in 2022. As we have pointed out earlier in this report, the application incorrectly considered the application as the change of use as a dwelling when in fact the existing authorised use was student accommodation. Nevertheless, the reasons for refusal are pertinent to the proposed development.

5.3 The reason for refusal of the 2021 application is set out in full below.

1. The proposed development, by reason of the severely limited amount of useable internal floorspace for Flats 1, 2, 3 & 4, likely compromised useable floorspace for student bedrooms 3 & 4 and lack of outlook for flat 1 and student bedrooms 3 and 4 would provide a poor standard of amenity for future occupiers. Therefore, the development would be contrary to the aims of paragraph 130f of the National Planning Policy Framework, Principle 16 of the Housebuilders Design Guide SPD and Policy LP24(b) of the Kirklees Local Plan.

5.4 From the reasons given for refusal and looking at the Officer delegated report for the application, the concerns revolve around the acceptability or otherwise of the internal floorspace having particular regard to the National Described Space Standards document published in 2015 (NDSS).

5.5 This standard deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for

the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The requirements of this standard for bedrooms, storage and internal areas are relevant only in determining compliance with this standard in new dwellings and have no other statutory meaning or use.

5.6 It is a moot point as to whether this guidance is applicable in this instance given that the proposed works seek to modify a property with an implemented permission for student accommodation (2012/90516) that provided 9 bedrooms. The proposed scheme is for a 5 bedroom HMO and 2 self-contained flats.

5.7 Whilst the NDSS relates to new dwellings, that include flats, it does not readily equate to HMO's. Nevertheless, we take it on board as guidance. With this in mind, we set out how the proposed development sits against NDSS guidance.

Basement 1-bed Flat – NDSS minimum requirement = 39sqm.

Proposal = 48.7sqm

Ground Floor 2-bed Flat – NDSS minimum requirement = 61sqm.

Proposal = 46.2sqm

HMO Studios x 2 and 3no. bedrooms – all capable of accommodating a double bed – NDSS minimum requirement = 11.5sqm.

Proposal = Studio 1 (18sqm), Studio 2 (18.1sqm), Bedroom 1 (13.2sqm), Bedroom 2 (20.5sqm), Bedroom 3 (21.5sqm).

5.8 From the above it can be seen that NDSS standards are exceeded on all rooms apart from Flat 2 that falls short. However, given the unusually high ceiling heights in this Victorian building, the sense of space is enhanced and a site visit will demonstrate that the two bedrooms can comfortably accommodate double beds with space around them.

5.9 Whilst the rooms could be enlarged by going into part of the lounge of flat 2, this would be to the detriment of the form and character of this Victorian building within a conservation area and, taking a planning balance, is not something we would recommend.

5.10 The proposed works are retrospective, and, whilst no defence, were carried out by the applicant during Covid, following his purchase of the property on the misunderstanding that he could improve the existing facilities given the existing student/hmo permission.

5.11 The works undertaken have been to a very high standard. In terms of occupation, demand has far outstripped supply. For a variety of reasons (credit crisis, family breakdown, job relocation) there has been significant growth in people seeking cost effective rented accommodation. The proposed development meets a growing need.

5.12 We believe the reasons for refusal associated with the 2021 planning application have been overcome with this submission. NDSS standards are met and exceeded in every room apart from Flat 2. We don't see

Flat 2's bedroom space to be significantly below the expected standards such that the occupant's living conditions are compromised.

6.0 Concluding comments

6.1 The property's authorised use is as student accommodation/hmo use with 9 bedrooms. The proposal modifies the layout and accommodation provision with a high-quality upgrade, creating 2 self-contained flats, two upgraded studios as part of the HMO use and 3 further HMO bedrooms. The Studios would have kitchenettes but there would be no cookers in them. The communal lounge and kitchen and laundry room would cater for all HMO residents. Studios in HMO's are not uncommon in HMO licenses issued in Kirklees.

6.2 The development provides much needed accommodation at a level where there is high demand. The use is acceptable and would not conflict with LP policy or advice in the NPPF. We believe that limited weight should be given to the identified NDSS shortfall in respect of the bedrooms in Flat 2. The overall planning balance should weigh in favour the overall scheme. If this point is not accepted then discussions could follow regarding reducing the size of the lounge in Flat 2 (although this compromises the integrity of the Victorian layout) or it could be reduced to a 1-bed flat to satisfy NDSS guidance.

6.3 We trust you are able to support the application but please do not hesitate to get back to us if you have any queries.