



PLANNING AND HERITAGE STATEMENT

**Change of use from C3 dwelling house to C4 House in
Multiple Occupation**

**1 West Park Street
Dewsbury
West Yorkshire
WF13 4LA**

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1 INTRODUCTION

Context

- 1.1 This Planning Statement has been prepared by DPA Planning Ltd on behalf of Mr Sprawka (the "Applicant") to accompany a planning application for the change of use from C3 dwelling house to C4 House in Multiple Occupation (the "Proposed Development") at 1 West Park Street, Dewsbury (the "Application Site").
- 1.2 This report is to be read in conjunction with all other submitted documents which are listed as follows:
- Completed Planning Portal Application Form;
 - SM001 Site Location Plan;
 - SM002 Proposed Site Layout Plan;
 - SM003 Existing Floor Plan; and
 - SM004 Proposed Floor Plan.

Site Context

- 1.3 The application site is an existing 7-bedroom dwelling, located south of West Park Street in Dewsbury. The site is surrounded by residential uses. A bus stop for the 268 service is located nearby (less than 50 metres east) with regular services linking to Wakefield and Bradford.
- 1.4 The site lies in an established residential area of high-density housing. The local area is characterised by a mix of properties falling within both the C3 dwelling house planning use class and the C4 house in multiple occupation use class. The application site is shown as within the Northfields Conservation Area.



Figure 1.1: Application site in context

Proposed Development

- 1.5 The proposed development seeks permission for the C3 to C4 change of use. The existing dwellinghouse of 7 bedrooms over 4 stories (basement, ground floor, first floor and second floor) would be converted into a 14 bed HMO over 4 stories (basement, ground floor, first floor and second floor) as detailed in the supporting plans.
- 1.6 The 14 bed HMO would have shared spaces for kitchen/dining, storage and laundry. Additionally, spaces are provided for secure bicycle storage.
- 1.7 The application is also accompanied by a floor plan to show the works that are involved in the change of use. Please note that all changes made are internal.

Planning History

- 1.8 There are no relevant planning applications noted for the application site.

2 PLANNING POLICY

Kirklees Local Plan

- 2.1 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.
- 2.2 The Kirklees Local Plan was adopted on 27th February 2019. The relevant policies of the Local Plan include:
- LP 1 – Achieving sustainable development
 - LP 2 – Place shaping
 - LP11 – Housing mix
 - LP21 - Highways
 - LP 22 – Parking
 - LP 24 – Design
- 2.3 Other relevant local guidance includes:
- Conservation Area Designations (Northfields - 100019241, 2009)

National Planning Policy Framework & Guidance

- 2.4 Relevant Government planning policy is now contained largely within the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- 2.5 Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
- 2.6 Paragraph 11 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision taking. For decision-taking this

means approving development proposals where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.7 Paragraph 135 of the NPPF states that policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Legislation and the NPPF

- 2.8 The duty of the Council as a Local Planning Authority is set out in paragraphs 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The duty in relation to Listed Buildings is to preserve its setting or any features of special architectural or historic interest which the building may possess. Paragraph 205 of the NPPF states that 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.

3 PRINCIPLE OF DEVELOPMENT

Acceptability in Principle

- 3.1 Local Plan Policy LP11 aims to provide sufficient housing for all housing needs. This is reiterated at Chapter 5 of the NPPF.
- 3.2 It is considered the proposal would add to the supply of HMO's in compliance with Policy LP11 along with the property being located within a highly sustainable location with regular bus services via Halifax Road within a short walking distance.
- 3.3 In the case of this application, the host property is not listed however it lies within the Northfields Conservation Area.
- 3.4 The proposal is considered to cause "less than substantial harm, with no external changes made to the building to affect the significance of the heritage asset" as set out in Paragraph 205 of the NPPF. The harm should therefore be weighed against the public benefits of the proposal. In this case, the minimal harm of the works does not outweigh the public benefits of provision of housing and the continued use and maintenance of the building within the Conservation Area.
- 3.5 For these reasons the proposed development is considered acceptable in principle subject to an assessment against other material planning considerations which are discussed in turn as follows.

4 OTHER MATERIAL PLANNING CONSIDERATIONS

Visual Impact

- 4.1 Paragraph 135 of the NPPF sets out that decisions should ensure that, amongst other things, developments are sympathetic to local character, including the surrounding built environment.
- 4.2 There are no proposed external changes to the existing building, with the existing use as a residential property, the change to a HMO would not be noticed from the street scene or wider vantage points.
- 4.3 The development would be in keeping with the existing neighbouring properties and the proposed to HMO would be in keeping with the character of the surrounding area and therefore acceptable in terms of visual amenity and compliant with Policy LP24 of the Local Plan as well as the NPPF.

Residential Amenity

- 4.4 Local Plan Policy LP24 as well as Paragraph 135 of the NPPF, seek to ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users.
- 4.5 It is considered the proposed development which provides a 14-bedroom shared HMO use, is similar to that of the existing neighbouring C3 and C4 residential uses and thus creates a similar impact upon neighbouring amenity and highway safety. The internal and external layout as proposed is considered suitable and would provide an acceptable level of amenity.
- 4.6 It is not considered that the nature of occupation as a 14 bed HMO would have a negative effect on adjacent neighbours, however, the implementation of a comprehensive management plan would assist in such issues as, information and advice to residents, garden maintenance, refuse and recycling collections and property maintenance issues. This would be controlled by condition, which would provide an opportunity for any problems that may arise to be referred to the applicant.

Impact upon Highway Safety

- 4.7 The application site is located in a highly sustainable location which access to a range of key facilities and services, including employment, retail, health and education uses. Furthermore, as stated earlier in this report, a bus stop is located within 50 metres the site providing regular services to surrounding areas.
- 4.8 It can be assumed that the number of cars associated with the proposed development could be as low as zero, due mainly to the sustainable location of the application site however off street parking is shown to the rear of the application site in two garage and two open parking spaces.
- 4.9 The impact of the development-generated traffic on the surrounding area for a minor development of this size would be negligible and it is therefore concluded that the proposed development could be accommodated without resulting in a significant detrimental impact upon the network. This is in line with the severe impact test within NPPF at paragraph 115 as well as Local Plan Policy LP22.

5 CONCLUSION

- 5.1 Paragraph 38 of the NPPF states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It goes on to state that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.2 It is considered the proposal would add to the supply of HMO's in compliance with Policy LP11 along with the property being located within a highly sustainable location with regular bus services via Halifax Road within a short walking distance.
- 5.3 In the case of this application, the host property is not listed however it lies within the Northfields Conservation Area.
- 5.4 The proposal is considered to cause "less than substantial harm, with no external changes made to the building to affect the significance of the heritage asset" as set out in Paragraph 205 of the NPPF. The harm should therefore be weighed against the public benefits of the proposal. In this case, the minimal harm of the works does not outweigh the public benefits of provision of housing and the continued use and maintenance of the building within the Conservation Area.
- 5.5 It is considered that, on balance, the development complies with the aims and intentions of all relevant policies and would not result in adverse visual amenity, residential amenity or highway safety impacts. As such it is recommended that Planning Permission be granted.