

**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:	2024/62/92548/W
Site Address:	40, Bradford Road, Fartown, Huddersfield, HD1 6JE
Description:	Change of use of dwelling to 7 bed House of Multiple occupation including erection of 3 storey extension and associated alterations'
Recommending Officer:	Lucy Taylor

DECISION – REFUSED

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.

John Holmes

AUTHORISED OFFICER

Date: 31st January 2025

Officer Report.

Reference: 2024/92548

Location: 40, Bradford Road, Fartown, Huddersfield, HD1 6JE

Proposal: Change of use of dwelling to 7 bed House of Multiple occupation including erection of 3 storey extension and associated alterations

Site Description.

40 Bradford Road is a three-storey terrace property located in Fartown, Huddersfield. The dwelling is constructed from natural stone, with the roof infilled with grey slate tiles. The dwelling fronts the highway of Bradford Road.

The dwelling is located within the Hillhouse Local Centre.

The site is located within Flood Zone 2 as identified by the Environment Agency.

Description of Proposal.

Planning permission is sought for the change of use of No. 40 Bradford Road to a 7 bed House of Multiple occupation including erection of 3 storey extension and associated alterations.

The proposed 3 storey extension would replace an existing two-storey projection to the rear of 40 Bradford Road. It would have a total depth of 7 metres, a width of 7.5 metres and a height of 9.8 metres.

The extension would be constructed in matching materials, with natural stone to the exterior walls and grey slate tiles to the roof.

The proposed basement floor would host a shared kitchen and dining area and 2 store rooms.

The proposed ground floor would host 3 en-suite bedrooms and a shared kitchen.

The proposed first floor would host 4 en-suite bedrooms and a shared kitchen.

History of Negotiations / Amendments Received.

During the course of the application, the case officer entered into negotiations with the planning agent / applicant, to address the concerns raised within the KC LLFA consultation and concerns regarding residential amenity as a result of the proposal.

In response to the case officer's recommendations, the planning agent / applicant submitted revised floor plans, removing bedrooms from the

basement level and instead proposing a shared kitchen and dining area and 2 store rooms to this level.

As a result of these negotiations and the amendments received, the description of proposal was altered accordingly, removing reference to the originally proposed 10 bed HMO and instead setting out that permission is sought for a 7 bed HMO.

It was not considered necessary in this instance to carry out re-advertisement of the application, given that the level of accommodation sought was reduced as a result of the amendments submitted.

Relevant Planning History.

At the application site:

- 90/05157 – Erection of 2-storey extension. *Granted Conditional Full Permission.*

Neighbouring the application site:

- 2018/90263 – 42 Bradford Road – Erection of front and rear dormer windows and alterations to convert house of multi occupation to 4 apartments. *Refused.*

Representations.

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters.

Final publicity date expired: 17th December 2024.

In response to publicity, two objections were received, which raised the following concerns:

Residential Amenity:

- Extension would limit the views / outlook from neighbouring properties.
- Extension would limit natural sunlight / daylight to neighbouring properties.

Highway Safety:

- Impact on highway safety and traffic, parking is already very limited on the road.

Consultation Responses.

Mining Remediation Authority – concurs with the recommendations of the Coal Mining Risk Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on site. Therefore, no objection to the proposed development subject to the imposition of the conditions to secure the above.

KC Lead Local Flood Authority – Objects to this application on the grounds of unacceptable flood risk.

KC Highways Development Management – Advises that, given the sustainable location close to Huddersfield Town Centre, no objection to these proposals. However, Highways Development Management set out they would not wish to see bins stored or collected from the Bradford Road footway and that details of the proposals for the storage and collection of wastes from the site should be provided.

KC Environmental Health – No objection, advising the following:

Noise: We have concerns about road traffic noise affecting the amenity of the occupiers. A condition is recommended for the submission of a noise assessment.

Contaminated Land: The development site sits amongst land that has been identified as potentially contaminated. A condition is recommended for any unexpected contamination found during the course of construction.

Construction: A condition is recommended to control the hours of any construction work to protect the amenity of neighbouring occupiers.

Policy / Legislation.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The dwelling is located within the Hillhouse Local Centre.

The site is located within EA Flood Zone 2.

The application site is located within the River Colne Corridor Strategic Green Infrastructure Network and within an area with a known presence of bats.

The application site is located within an area identified by the Coal Authority as being at high risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP11 – Housing Mix and Affordable Housing
- LP13 – Town Centre Uses
- LP15 – Residential Use in Town Centres
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP27 – Flood Risk
- LP28 – Drainage
- LP30 – Biodiversity & Geodiversity
- LP31 – Strategic Green Infrastructure Network
- LP51 – Protection and Improvement of Local Air Quality
- LP53 – Contaminated and Unstable Land

Supplementary Planning Documents:

- Highways Design Guide SPD (2019)
- Housebuilders Design Guide SPD (2021)
- Nationally Described Space Standards
- Waste Management Design Guide for New Developments (Oct, 2020, v.5)

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 2024, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision-Making
- Chapter 8 – Promoting Healthy and Safe Communities
- Chapter 11 – Making Efficient 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

Assessment.

1) Principle of Development

Sustainable Development:

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

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

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

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

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

Housing Mix:

In this instance, LP11 of the Kirklees Local Plan is also relevant, as the scheme aims to convert existing dwelling into House of Multiple Occupation. The policy states that: *“all proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need.”*

Chapter 11 of the NPPF states that planning decisions should promote the development of under-utilised land and buildings, but this must not be at the expense of creating developments that function well and add to the quality of the area as set out in Chapter 12.

Hillhouse Local Centre:

The dwelling is located within the Hillhouse Local Centre.

Policy LP13 of the Kirklees Local Plan sets out that the role and function of Local Centres is as follows: *“Provide for top-up shopping and local services particularly food and drink.”*

Policy LP15 of the Kirklees Local Plan refers to residential uses in town centres.

Whilst it is noted that the proposals would not strictly accord with the requirements of Policies LP13 or LP15 of the Kirklees Local Plan, as it is not for a commercial use within a local centre, it is noted that the building has already been established as a dwellinghouse. Therefore, given the existing

use of the building, it is not considered that this proposal would result in a loss of any commercial space within the local centre.

Therefore, for the reasons set out above, it is considered that, on balance, the principle of the proposed development is acceptable, subject to being considered acceptable with regard to other considerations addressed within the below sections of this report.

2) Impact on Visual Amenity

The NPPF offers guidance relating to design in chapter 12 (Achieving Well Designed Places).

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

- *“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...”*

Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: *“New residential development proposals will be expected to respect and enhance the local character of the area by:*

- *Taking cues from the character of the built and natural environment within the locality.*
- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*
- *Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.”*

Principle 5 of the Housebuilders Design Guide states, amongst other things, that buildings should be aligned and set-back to form a coherent building line and designed to front on to the street.

Principle 6 of the Housebuilders Design Guide SPD highlights that *‘the space between buildings can help maximise residential amenity in terms of maintaining privacy, reducing overlooking and ensuring natural light is able to penetrate buildings...normally new build development should seek appropriate separation distances for servicing, accommodating future adaptations and creating attractive street scenes. These should be in keeping with the character and context of the site and proportionate to the scale of the dwellings’.*

Principle 13 seeks to ensure consideration is given to use locally prevalent materials and finishing to reflect the locality.

Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties.

Principle 15 of the Housebuilders design guide sets out that the design of the roofline should relate well to the site context, including topography, views, heights of buildings and the roof types.

In terms of design, the proposal seeks permission to erect a 3-storey rear extension to 40 Bradford Road. The proposed 3 storey extension would have a projection of 7 metres, a width of 7.5 metres and a height of 9.8 metres.

The proposed 3 storey extension is not considered to be of a size / scale that would be viewed as proportionate to the host dwellinghouse, resulting in the loss of the majority of the amenity space which currently exists to the rear of the site. The 3-storey extension is also considered to have a depth and width which would fail to be viewed as subservient to the host dwelling and would fail to be separated from either shared boundary to both sides. The three-storey extension is considered to result in a loss of character to the form of the existing terrace property, significantly projecting beyond the adjoining rear elevations of No.'s 38 and 42 Bradford Road.

It is therefore considered that the proposed development would be unsympathetic and incongruous to the design of the terrace property which would, in turn, harm the character and appearance of the dwelling and the character of the wider street scene, contrary to Chapter 12 of the NPPF, LP24 (a and c) of the Kirklees Local Plan and guidance as contained within the Housebuilders Design Guide SPD.

3) Impact on Residential Amenity

Section B and C of LP24 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.

Principle 6 of the Housebuilders Design Guide sets out that residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.

The text supporting Principle 6 of the Kirklees Housebuilder Design Guide SPD states set out recommended minimum separation distances for two storey properties, these being:

- 21 metres between facing windows of habitable rooms;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;

- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

Impact on Surrounding / Neighbouring Occupiers:

The proposed three storey extension would be erected up to the shared boundaries with both No.'s 38 and 42 Bradford Road and would exceed the rear elevations of these neighbouring properties. Both No. 38 and No. 40 Bradford Road are registered on the Council's GIS mapping system as residential dwellings.

The three-storey extension would exceed the rear elevation of No. 38 Bradford Road by approximately 2.3 metres and would breach a line of 45-degrees with regard to the windows on the rear elevation of No. 38.

The three-storey extension would exceed the rear elevation of No. 42 Bradford Road by approximately 2.5 metres and would breach a line of 45-degrees with regard to the windows on the rear elevation of this neighbouring property.

The three-storey extension would be separated from the rear boundary of the site by a minimum distance of approximately 4.5 metres and would be separated from the adjacent residential dwellings of No. 17a Calton Street by approximately 11.6 metres and No. 19 Calton Street by approximately 13.3 metres. The amenity space serving No.'s 17a and 19 Calton Street is located between the rear boundary of No. 40 Bradford Road and the siting of the neighbouring properties.

The proposed three storey extension to No. 40 Bradford Road is proposed to host habitable room windows to the ground and first floor, specially four windows all serving bedrooms. At present, there are only 2 habitable room windows to the rear elevation of No. 40 Bradford Road, one at basement floor level and one at ground floor level, which have a greater separation distance from both the rear boundary and dwellings of No.'s 17a and 19 Calton Street.

Given the separation distances as set out above and the intensification of the site, resulting in a significant increase in habitable room windows to the rear elevation, it is concluded that the three storey extension would have an unacceptable impact on residential amenity, having a harmful impact upon the living conditions associated with No.'s 38 and 42 Bradford Road, as well as No.'s 17a and 19 Calton Street. The scheme therefore fails to comply with Policy LP24 of the Kirklees Local Plan, guidance as contained within the Housebuilders Design Guide SPD and Chapter 12 of the NPPF.

Impact on Future Occupants:

The floorplans as proposed have been calculated to provide a gross internal floorspace of approximately 180sqm. The Nationally Described Space Standards contain no specific standard for HMOs, nor for houses in excess of

6 bedrooms. However, Kirklees Council has its own amenity standards for Houses of multiple occupation, which can be found at the following link: <https://www.kirklees.gov.uk/beta/housing/pdf/HMO-amenity-standards.pdf>

Whilst it should be noted that this is not an adopted planning document and therefore carries limited weight in the determination of this application, it does provide a useful guide as to the standard of amenity that is considered acceptable for an HMO.

Section 8.1 of this document refers to one unit of accommodation with cooking, living and sleeping facilities.

With regard to the size of bedrooms, this document sets out that one room for one person should have a minimum internal area of 13m² and one room for two persons should have a minimum internal area of 18.6m².

Officers have calculated the proposed bedrooms to have the following (approximate) internal floor areas:

- bedroom 1 – 16.4m²
- bedroom 2 – 12.5m²
- bedroom 3 – 19m²
- bedroom 4 – 10.1m²
- bedroom 5 – 19.3m²
- bedroom 6 – 13.8m²
- bedroom 7 – 17.5m²

Officers note that all of the bedrooms would be served by one window.

The document goes on to assess shared accommodation and states each living room should have a minimum living room size of 8m² plus an additional 1m² per person. Which would mean this HMO would require a living room size of at least 15m². In this case, the plans show a shared kitchen and dining area to the basement floor, shared kitchen to the ground floor and shared kitchen to the first floor.

In terms of outdoor amenity space, following the erection of the three-storey extension, an area of approximately 40m² would be retained at the site, with only approximately 30m² of this useable, given the proposed external stairs. Whilst officer's note that only a small area of outdoor amenity space would be retained at the site, in this instance, the provisions are considered acceptable, given the sustainable location of the site and the proximity of Alder Street Play Area and Open Space.

Whilst the property is relatively constrained by what it can offer, officers cannot support a dwellinghouse with such an intensified bedroom usage, with such a poor standard of amenity regarding the size of bedrooms two and four. For this reason, the proposal is considered contrary to Policy LP24(b) of the Kirklees Local Plan and Chapter 12 of the NPPF.

4) Impact on Highway Safety

Turning to highway safety, Policies LP21 and 22 of the Local Plan, and the Highways Design Guide SPD have been considered.

As part of the assessment and determination of this planning application, a formal consultation was undertaken with KC Highways Development Management. Within their consultation response, KC Highways Development Management set out the following comments:

The application site is located on A641 Bradford Road approximately 400m from Huddersfield Ring Road and Huddersfield town centre.

There are no existing off-street parking provisions, and none are proposed.

There is on-street parking available to the frontage of the site.

Given the sustainable location close to Huddersfield town centre Highways Development Management (HDM) have no objection to these proposals. There are however no proposals provided for the storage and collection of wastes from the site.

HDM would not wish to see bins stored or collected from the Bradford Road footway.

Details of the proposals for the storage and collection of wastes from the site should be provided. A bin collection point should be shown to be provided to enable bins to be presented on collection day without obstructing the Bradford Road footway.

Officers note that no details of waste storage / collection have been provided as part of the application. Due to the extent of the red line boundary of the application site, it is considered that sufficient provision could be provided within the site however, this detail is required to ensure that its acceptable. Therefore, a condition would be imposed to secure details of waste storage / collection in the event of any grant of approval. This is in the interests of visual amenity and highway safety, to accord with Policies LP21 and LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

5) Other Matters

Climate Change:

On the 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon

target; however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

As part of this application, a Climate Change Statement was submitted, which sets out several mitigation measures. Due to the nature of the proposal, it is considered that the proposed development would not have an impact on climate change that needs any further mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the NPPF and Policy LP51 of the Kirklees Local Plan.

Coal:

The site is situated within a High Coal Area on the Council's internal database.

As part of the assessment and determination of this planning application, a formal consultation was undertaken with the Coal Remediation Authority.

Within their consultation response, the Coal Remediation Authority set out that they concur with the recommendations of the Coal Mining Risk Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on site.

The Coal Remediation Authority therefore concluded that, they have no objection to the proposed development subject to the imposition of the conditions to secure the above.

On the basis of inclusion of a condition, as recommended by the Mining Authority, it is considered the development would be acceptable in this case.

Flood Risk:

The site is located within EA Flood Zone 2.

Policy LP27 of the Kirklees Local Plan relates to flood risk.

As part of the assessment and determination of this application, a formal consultation was undertaken with KC Lead Local Flood Authority.

Within their consultation response, KC Lead Local Flood Authority set out that the site is within Flood Zone 2 and within 20m of the culverted Grimescar Dike. As this development is a "change of use", it is exempt from the National Planning Policy's sequential and exceptions tests.

They also set out that Kirklees Council Flood Mapping indicates that surface water flooding to a depth of 0.9 to 1.2m for a 1 in 100 year rainfall event is possible.

Within their consultation response, KC Lead Local Flood Authority concluded that they object to this application, on the grounds of unacceptable flood risk. However, this objection was on the basis of the original proposal for a 10-bedroom HMO, with bedrooms proposed at basement floor level.

Following the consultation from KC Lead Local Flood Authority, the planning agent / applicant submitted amended plans, to overcome their objection. These amended plans saw a reduction in the number of bedrooms, from 10 to 7, and saw the removal of all bedrooms from basement floor level, replaced with a shared kitchen and dining area and 2 store rooms.

Therefore, it is concluded that, the amendments overcome the objection from KC Lead Local Flood Authority, and the development would be acceptable in this regard subject to inclusion of a condition to ensure that the rooms at basement floor level never be used as bedrooms upon any grant of approval.

Strategic Green Infrastructure Network:

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhances green infrastructure is provided / integrated into new developments. In addition this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies within the Kirklees Local Plan policy LP31 sets out that the Council will support such development.

The submitted application form confirms that no trees or hedges are to be removed as a result of the development. Therefore, the proposal is not considered to have a significant impact upon the strategic green infrastructure network and is concluded to be acceptable in this regard.

Bats / Ecology:

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

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

The application site lies within the bat alert layer on the Council's GIS system.

Demolition works would be involved in the construction of the proposed three storey rear extension, which is to replace an existing two-storey rear projection at 40 Bradford Road. The two-storey rear projection to be demolished, is of a solid construction, with the external walls constructed from natural stone and the lean-to roof infilled with tiles.

Given the scale of the built form which would be removed / altered as a result of the development it is considered that in this case it is an appropriate approach for the LPA to take to draw the attention of the applicant to the requirements of the law in the event that bats are discovered on site.

With regard to biodiversity net gain, the submitted application form sets out the following: *“Exemption: my belief that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply.”*

Officer's note that the proposed extension is to be erected on an area of existing hard standing to the rear of No. 40 Bradford Road. Therefore, officers are satisfied that the proposal would accord with the de minimis exemption. The development would not impact a priority habitat and impact less than 25 square metres of on-site habitat and less than 5 metres of on-site linear habitats such as hedgerows.

6) Representations

In response to publicity, two objections were received, which raised the following concerns:

Residential Amenity:

- Extension would limit the views / outlook from neighbouring properties.
- Extension would limit natural sunlight / daylight to neighbouring properties.

Officer Response: The concerns raised regarding residential amenity are noted. A full assessment of the proposal with regard to impacts to residential amenity is set out within Assessment section 3 of this officer's report.

Highway Safety:

- Impact on highway safety and traffic, parking is already very limited on the road.

Officer Response: The concerns raised regarding residential amenity are noted. A full assessment of the proposal with regard to impacts to highway safety are set out within Assessment section 4 of this officer's report.

7) Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development proposals do not accord with the development plan and/or the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF and other material consideration.

Recommendation: Refuse

Decision Authorisation: Delegated Powers

Application Number: 2024/92548

Officer Recommendation: Approve

Reasons for Refusal:

1. The proposed three storey extension, by reason of its design, scale and massing, would fail to be subservient to the original dwelling and would appear an incongruous addition to the host dwelling, which would, in turn, harm the character and appearance of the dwelling and the character of the wider street scene. The proposal would therefore be contrary to Policy LP24 (a) and (c) of the Kirklees Local Plan, guidance as set out within the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.
2. The proposed three storey extension, by virtue of its scale, design and siting in relation to shared boundaries and neighbouring dwellings, would lead to a detrimental level of overshadowing and overbearing towards No.'s 38 and 42 Bradford Road and would lead to a detrimental level of overlooking to the dwellings of No.'s 17a and 19 Calton Street, as well as to their outdoor amenity spaces. Therefore, the proposal would fail to ensure an acceptable standard of amenity for existing occupiers of these neighbouring dwellings contrary to Policy LP24 of the Kirklees Local Plan, guidance as set out within the Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.
3. The proposed development would present poor standards of amenity for future occupiers, by reason of the size of bedrooms two and four. Therefore, the development would be contrary to Policy LP24(b) of the Kirklees Local Plan, guidance as set out within the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	PP-13389083v1	-	09.09.2024
Existing Front / Rear Elevation	001-EX-01001AMI	0	09.09.2024
Existing Side Elevation	002-EX-01002AMI	0	09.09.2024
Existing Side Elevation	003-EX-01003AMI	0	09.09.2024
Existing Roof Plan	005-EX-01005AMI	0	09.09.2024
Existing Floor Plans	004-EX-01004AMI	0	09.09.2024
Existing Front / Rear Elevation	001-PP-01001AMI	0	09.09.2024
Existing Side Elevation	003-PP-01003AMI	0	09.09.2024
Proposed Side Elevation	002-PP-01002AMI	0	09.09.2024
Proposed Roof Plan and Location Plan	005-PP-01005AMI	0	09.09.2024
Existing and Proposed Block Plans Scale 1/500	0007 BLOCK	0	04.11.2024
Proposed Floor Plans	004 PPD-0100101AMI	0	28.01.2025
Climate Change Statement	-	-	30.09.2024
Coal Mining Risk Assessment by Earth Environmental & Geotechnical	A6303/24/CMRA	-	01.11.2024
Consultants Coal Mining Report by The Coal Authority	A6303	-	01.11.2024
Flood Risk Assessment for Proposed Development	2024/92548	-	11.11.2024

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 Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees

Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

During the course of the application, the case officer raised concerns with the planning agent / applicant, to address the concerns raised within the KC LLFA consultation and concerns regarding residential amenity as a result of the proposal.

In response to the case officer's recommendations, the planning agent / applicant submitted revised floor plans, removing bedrooms from the basement level and instead proposing a shared kitchen and dining area and 2 store rooms to this level.

As a result of these negotiations and the amendments received, the description of proposal was altered accordingly, removing reference to the originally proposed 10 bed HMO and instead setting out that permission is sought for a 7 bed HMO. The submitted amendments were not concluded to sufficiently overcome all concerns raised and the application has therefore been processed on the basis of the amended plans submitted.

Report Dated: 29.01.2025