

**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:	<b>2025/62/90296/W</b>
Site Address:	Flats 37-48, Lancaster House, Oldgate, Huddersfield, HD1 6HQ
Description:	Change of use from dwellings (use class C3) to residential care home (use class C2)
Recommending Officer:	Jennifer Booth

**DECISION – Full Conditional Permission**

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

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date:** 7-Oct-2025

## **OFFICER REPORT**

### **Site Description**

Lancaster House is a large 3 storey apartment block on Oldgate Huddersfield. It currently has 48 bedrooms split over 4 block on 3 storeys. The application relates to the southernmost block, 37-48. The building is built in stone with blue slates roof and is in good condition.

The site is on the town centre side of the ring road, opposite the large Sainsbury's superstore and with the Kingsgate Centre to the rear.

### **Description of Proposal**

The application is seeking planning permission to change the use from student flats to a care home. This will consist of the existing 8No apartments on the first and second floors forming the accommodation for residents with the ground floor dedicated to staff and common areas.

The ground floor would have a staff office, staff facilities include kitchen and ensuite with a meeting room and a common room.

The ring road facing units would have a total area of 13.3sqm with a bedroom area of 9.3sqm, the ensuite 2.9sqm and a small kitchen area. There would be two of these on the first floor and two on the second floor.

The rear facing units would have a total area of 18.4sqm with a bedroom area of 14.1sqm, the ensuite 2.9sqm and a small kitchen area. There would be two of these on the first floor and two on the second floor.

The proposal is to provide accommodation and support for vulnerable adults as a stepping stone into the community

No external changes are proposed.

### **Relevant Planning History**

None

### **Representations**

The application was advertised by site notice, which expired on 07/03/2025

As a result of the above publicity, two representations have been received. The matters raised are summarised as follows:

- The proposed accommodation is considered to be of poor quality, with units described as excessively small and unsuitable for comfortable living.

- The scheme does not support meaningful town centre regeneration, as it targets a narrow demographic rather than encouraging a diverse residential population.
- There is concern that repurposing office buildings into student or elderly housing does not contribute positively to the vitality of the town centre.
- The development is seen as likely to attract only those in financial hardship, potentially resulting in low quality of life for future occupants.
- Suggestion of the provision of well-designed, spacious housing suitable for a range of household types to support sustainable town centre renewal.
- The applicant states the site is "under 25 square metres," suggesting individual room sizes may be as small as 6.25 sqm, which raises concerns about adequacy and comfort.
- Submitted plans lack measurements, making it difficult to verify room sizes; external inspection suggests rooms are very small.
- The proposed configuration does not meet the minimum standards required for registration with the Care Quality Commission (CQC), including essential features such as a lift and access to safe outdoor space.

## **Consultation Responses**

Designing Out Crime Officer (DOCO) – do not support the proposals. It is considered that the location is unsuitable for a care home due to poor accessibility, lack of nearby amenities, and potential noise from the town centre's night-time economy. The setting may not meet the needs of future residents, and parking provision for staff and visitors is also a concern.

## **Policy**

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

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map

On 12<sup>th</sup> 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.

### **Kirklees Local Plan Policies**

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP7** – Efficient and effective use of land and buildings
- **LP11** – Housing mix
- **LP21** - Highways
- **LP 22** – Parking
- **LP 24** - Design
- **LP 30** – Biodiversity

### **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, and the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> 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.

- Chapter 2 – Achieving sustainable development
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable travel
- 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**

#### Principle of development:

The proposal seeks planning permission for the change of use from student accommodation (sui generis or Class C4) to a care home (Class C2). The principle of development is assessed in accordance with both national and local planning policy.

Paragraphs 7–14 of the National Planning Policy Framework (NPPF, 2024) set out the presumption in favour of sustainable development, which includes meeting the needs of different groups in the community. Paragraph 62 specifically encourages local planning authorities to meet the housing needs of older people and those requiring specialist accommodation. The NPPF recognises the importance of providing appropriate housing and care facilities to support an ageing population and promote inclusive, healthy communities.

Locally, the Kirklees Local Plan (adopted 2019) supports the delivery of a range of housing types to meet identified needs. Policy LP1 promotes sustainable development that improves the economic, social, and environmental conditions of the district. LP7 supports meeting housing needs by promoting the efficient reuse of existing buildings and brownfield land, helping deliver sustainable development while preserving local character and minimizing land consumption. Policy LP11 encourages a mix of housing to meet the needs of all groups, including older people and those requiring care. Additionally, Policy LP24 (Design) and LP52 (Environmental Protection) ensure that new development integrates well with its surroundings and does not result in unacceptable harm to residential amenity.

The proposed change of use is considered to contribute positively to the housing mix and supports the strategic objectives of the Local Plan, including promoting health and wellbeing and supporting inclusive communities. Subject to compliance with detailed matters relating to design, amenity, and highways, the principle of development is considered acceptable.

#### Impact on visual amenity:

The proposed change of use from student flats to a care home for young adults (aged 18+) leaving local authority care would not result in any external alterations to the building. The accommodation is intended to serve as a transitional living arrangement, offering on-site support to assist residents in moving towards independent living. Each unit would be self-contained, featuring a kitchenette, a bedroom area suitable for a double bed, and an ensuite. The overall number of units would be reduced compared to the existing layout, with the ground floor repurposed to provide staff facilities and communal areas. As there are no changes to the external appearance of the building, and the use remains residential in nature, the proposal would not adversely affect the visual amenity or alter the character of the surrounding area.

Having taken the above into account, the proposals would not cause any significant harm to the visual amenity, complying with Policy LP24 of the Kirklees Local Plan (and the aims of chapter 12 of the National Planning Policy Framework).

#### Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account policy LP24

c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

The proposed change of use would result in the creation of accommodation for care leavers aged 18 and over, with on-site support to assist in their transition to independent living. The internal layout has been reconfigured to provide improved facilities, including a staff office, staff kitchen and ensuite, a meeting room, and a common room on the ground floor. These communal and support spaces are considered to enhance the overall amenity for future occupants.

The individual units have been designed to provide a reasonable standard of living accommodation. The ring road-facing units, located on the first and second floors, would each have a total area of 13.3sqm, comprising a bedroom area of 9.3sqm, an ensuite of 2.9sqm, and a small kitchen area. The rear-facing units, also split across the first and second floors, would be larger at 18.4sqm, with a bedroom area of 14.1sqm, an ensuite of 2.9sqm, and a small kitchen area. These layouts are broadly in line with the Nationally Described Space Standards (NDSS) in terms of functionality and provision for the intended occupants.

There are no residential properties in close proximity that would be affected by the proposed internal works or change of use. As such, the proposal is not considered to result in any adverse impact on the residential amenity of neighbouring occupiers.

Having considered the above factors, the proposals are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Chapter 12 of the National Planning Policy Framework.

#### Impact on highway safety:

The proposed development does not include any on-site parking provision. However, there is on-street parking available to the rear of the site, and several public car parks are located within close proximity. Furthermore, the existing use includes 12 units and the proposals would reduce the number of units to 8 although it is appreciated that there would be staff on site. The site benefits from excellent access to sustainable transport options, being situated near key bus routes and within walking distance of both Huddersfield Bus Station and Huddersfield Train Station. Given the nature of the proposed use and the central location, it is considered that the lack of dedicated parking would not result in any significant highways or access issues. As such the scheme would not represent any additional harm in terms of highway safety and as such complies with Policies LP21 & LP22 of the Kirklees Local Plan.

#### Other matters:

## *Crime Prevention*

The fear of crime is a material planning consideration. Chapters 8 and 12 of the NPPF state that decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible so that crime and disorder and the fear of crime to not undermine the quality of life or community cohesion. In addition, and under Section 17 of the Crime and Disorder Act 1988, the Council acting as Local Planning Authority has an obligation to have due regard to the likely impact upon and to do all it reasonably can to prevent crime and disorder.

Chapter 8 of the NPPF states that planning decisions should achieve healthy, inclusive and safe places which are accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. This is further reiterated under Chapter 12 of the NPPF which goes on further to state that planning decision should create spaces that are safe, inclusive and accessible which promote health and wellbeing, with a high standard of amenity for existing and future users and where crime and disorder and the fear of crime to not undermine the quality of life or community cohesion and resilience.

Policy LP1 of the Kirklees Local Plan forms a provision for development which do not have specific policies to ensure that permission can be granted unless there are material considerations including adverse impacts, which the potential for crime and disorder would be a significant factor, where the adverse impact would outweigh the benefits.

The DOCO has provided the following comments:

*The particulars of the location and the building are incompatible with the proposed new use. The building is located between a very busy ring road and a multi-storey car park. It is not accessible or convenient for those with mobility issues. There are no amenities for residents nearby. Additionally, the location is in proximity to Huddersfield town centre's night-time economy which may cause additional noise nuisance and disturbance to the occupants- likely contrary to what their specific needs would dictate. Parking for staff or visitors would also be an issue.*

However, Officers disagree with these comments. While the building is located adjacent to the ring road and a multi-storey car park, the site benefits from a highly sustainable town centre location. It is within walking distance of Huddersfield Bus and Train Stations, close to a bus stop, and surrounded by public car parks and on-street parking to the rear, which can support staff and visitor access.

The accommodation is intended for care leavers aged 18 and over, who are generally capable of independent living and not typically reliant on mobility aids. The proximity to services, transport links, and employment opportunities supports their transition into adulthood.

Concerns regarding the night-time economy are noted; however, the nearest evening venue is located on the opposite side of the Kingsgate Shopping Centre, and the building benefits from passive surveillance and staff presence 24/7, helping to ensure safety and wellbeing. The urban setting is consistent with the aim of integrating residents into the wider community and promoting independence.

As such, whilst the comments from the DOCO are noted, it is considered that the proposal offers an appropriate location for the said use and that to refuse on the basis of the comments would be unreasonable and unjustifiable.

### *Biodiversity*

The development is for a change of use of the building with no external alterations. As such, it is considered unlikely to have an impact on the bat population.

### *Carbon Budget*

The proposal is for a change of use of an existing building for a comparable use. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

There are no other matters for consideration.

### Representations:

Two representations have been received. The matters raised are summarised as follows:

- The proposed accommodation is considered to be of poor quality, with units described as excessively small and unsuitable for comfortable living.

**Officer Response:** *While the accommodation is modest in terms of room sizes, the bedrooms do comply with the Nationally Described Space Standards (NDSS), ensuring that they satisfy the minimum requirements for functionality, comfort, and livability.*

- The scheme does not support meaningful town centre regeneration, as it targets a narrow demographic rather than encouraging a diverse residential population.

**Officer Response:** *While the physical scale of the scheme may be modest, its contribution to town centre regeneration is meaningful. The accommodation is specifically designed for care leavers aged 18 and over, providing NDSS-compliant units that support independent living. Far from targeting a narrow demographic, the scheme addresses a*

*critical housing need and contributes to a more inclusive and sustainable town centre community.*

- There is concern that repurposing office buildings into student or elderly housing does not contribute positively to the vitality of the town centre.

**Officer Response:** *The site currently provides student accommodation, the proposed scheme will support care leavers aged 18 and over—an active and vital age group. Repurposing the building for supported living maintains residential use and contributes positively to town centre vitality by meeting a critical social need and encouraging integration and independence.*

- The development is seen as likely to attract only those in financial hardship, potentially resulting in low quality of life for future occupants.

**Officer Response:** *The accommodation is specifically designed for care leavers aged 18 and over, supporting their transition to independent living. While some residents may face financial hardship, the scheme provides a scheme of which complies with planning policy and will contain NDSS-compliant units alongside tailored support, helping to foster stability, confidence, and opportunity. Rather than diminishing quality of life, the development aims to improve it by addressing a critical housing need in a safe and supportive environment.*

- Suggestion of the provision of well-designed, spacious housing suitable for a range of household types to support sustainable town centre renewal.

**Officer Response:** *Officers can only consider what is submitted as to whether it is policy compliant.*

- The applicant states the site is "under 25 square metres," suggesting individual room sizes may be as small as 6.25 sqm, which raises concerns about adequacy and comfort.

**Officer Response:** *The proposed accommodation is designed to support care leavers aged 18 and over, with unit sizes tailored to meet their specific needs. While the ring road-facing units measure 13.3sqm and the rear-facing units 18.4sqm, each includes a bedroom, ensuite, and kitchenette. These units are part of a supported housing model and, while compact, they would satisfy NDSS requirements for bedroom sizes. The reference to rooms as small as 6.25sqm is inaccurate and does not reflect the actual layout or provision within the scheme.*

- Submitted plans lack measurements, making it difficult to verify room sizes; external inspection suggests rooms are very small.

**Officer Response:** *The submitted plans have been provided to a scale of 1:100 and the Officer has measured the room sizes. the ring road-facing units measure 13.3sqm and the rear-facing units 18.4sqm, each includes a bedroom, ensuite, and kitchenette. These units are part of a supported housing model and, while compact, would meet NDSS requirements for bedroom sizes.*

- The proposed configuration does not meet the minimum standards required for registration with the Care Quality Commission (CQC), including essential features such as a lift and access to safe outdoor space.

**Officer Response:** *The proposed accommodation is designed as supported housing for care leavers aged 18 and over, promoting independent living with access to tailored support. While features such as lifts and outdoor space may be desirable, they are not planning policy requirements for this type of accommodation. The scheme meets relevant planning and space standards and responds to a critical housing need in a town centre location.*

#### Negotiations:

None

#### Proposed conditions

Along with the standard timescale condition, which is a requirement of Section 91 of the Town and Country Planning Act 1990, it is considered appropriate to add the following conditions.

Accordance with the approved plans to ensure the development is carried out in line with the officer's assessment.

It is considered reasonable and necessary to limit the occupants to 8 residents and ensures a staff member is on site 24 hours a day, in line with the submitted information for the safe operation of the accommodation.

#### Conclusion:

This application to change the use of flats 37-48 of Lancaster House has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposals are considered to be acceptable.

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.

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

**Recommendation**

**Approve**

## **Decision Authorisation - Delegated Powers**

**Application Number:** 2025/90296

**Officer Recommendation:** Approve

### **Conditions and Reasons**

1. The development hereby permitted shall be begun within three years of the date of this permission.

**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

**Reason:** For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, Key Design Principles of the House Extensions & Alterations SPD and the aims of the National Planning Policy Framework.

3. The development hereby approved shall be occupied by no more than 8 residents at any one time. A minimum of one member of staff shall be present on site at all times to provide 24-hour support. This arrangement shall be maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the safe and effective operation of the supported accommodation, in line with the nature of the proposed use and to safeguard the amenity of future occupants and surrounding residents.

**NOTE:** The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

**NOTE:** To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours, Mondays to Fridays

08.00 and 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and

Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

<b>Plan Type</b>	<b>Reference</b>	<b>Web ID</b>	<b>Date Received</b>
Location plan	-	1075447	06/02/2025
Block Plan	-	1075444	06/02/2025
Existing Floor Plans	-	1075446	06/02/2025
Proposed Floor Plans	-	1075445	06/02/2025
Design & Access Statement	-	1082801	03/04/2025

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 2024 and otherwise actively engaged with the applicant in dealing with the application.

As the submitted plans were considered to be acceptable, no changes were sought. Clarification on the intended occupants and use was sought and provided in the form of a Design & Access statement.

**Report Dated** 29/09/2025