

KIRKLEES METROPOLITAN COUNCIL

PLANNING SERVICE

UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY

PLANNING SUB-COMMITTEE DISTRICT-WIDE

09 OCTOBER 2025

Planning Application 2025/90439

Item 12 – Page 7

Conversion of existing listed church to 2 dwellings, forming new residents car park, external amenity spaces and associated works

Church of the Holy Innocents, Vicarage Road, Dewsbury, WF12 9PD

POINT OF CLARIFICATION

The committee report refers to the loss of no.4 protected trees. Development of the car park will result in the loss of no.3 protected trees 24/94/t22, 24/94/t23, 24/94/t24. The reference to the removal of four trees was made in error and should be disregarded. This correction provides an accurate representation of the proposal's impact on the protected trees within the curtilage of the church site.

Planning Application 2025/92103

Item 14 – Page 47

Change of use from dwelling (C3) to a children's home (C2)

17, Far View Crescent, Almondbury, Huddersfield, HD5 8ER

Following publication of the Committee Report, one additional representation has been received which supplements an existing objection made. A number of concerns have been raised which is requested to be considered by the committee and that clear, enforceable responses and conditions be included where appropriate.

The following points have been raised with an officer response provided for each:

“1. In section 12.0 of the officer's report (Committee Report), it is noted that the applicant has provided an email to the Designing Out Crime Officer stating that the balcony will not be accessible to staff or children. As this is a significant part of the building, I believe it should be made a formal condition of the planning approval to ensure compliance. How will the current residents be assured that this restriction will be enforced, and what mechanisms are in place to monitor its adherence?”

Officer Response: For clarity, this refers to section 10.39 of the Committee Report, not section 12.0. Officers appreciate local resident's concerns regarding the safety of the occupants however, as stated in the Committee

Report, the Designing Out Crime Officer is satisfied with the provided evidence and raised no objections nor suggested additional conditions. It is officers' opinion that to attach a condition of this nature would fail to pass the required test for a planning condition, as detailed in paragraph 57 of the National Planning policy Framework. Furthermore, it is likely that this safety measure would be considered and managed under separate legislation outside the planning system.

"2. The proposal is described in the report as being of similar use to a single-family dwelling. Please identify the specific criteria, model, or methodology used to conclude that the proposed use is equivalent to a family home. Explain how that assessment accounts for differences in:

- *Occupancy levels;*
- *Vehicle movements and parking demand;*
- *Daily activity patterns and community impact.*
- *Staff commuting to a single place of work*

Please provide the evidence, data, or comparative examples that support the conclusion."

Officer Response: The existing building serves a six-bedroom residential dwelling which could be occupied by a large family unit. It is officers' opinion that the proposed use would not be dissimilar from that of a large residential dwelling. Officers have determined that sufficient evidence has been provided regarding the operation of the unit to satisfy material planning considerations, as detailed in the Committee Report.

"3. The applicant indicates that four vehicles will be parked on the driveway. Please clarify:

- *What measures will ensure parking is restricted to the driveway and does not spill onto the public highway?*
- *How will parking patterns be monitored over time, and who will carry out monitoring?*
- *What enforcement actions will follow if staff park on the street rather than within the designated driveway area?*

Provide details of any physical measures, planning conditions, and enforcement protocols."

Officer Response: The off-street parking provision is considered sufficient to prevent any significant harm to highway safety as a result of the proposal, as detailed in section 10.18-10.27 of the Committee Report. Monitoring is not considered necessary nor reasonable in this instance.

"4. The application specifies a maximum number of children to be cared for at the property. Please confirm:

- *What precise planning condition will cap the number of children on site?*
- *How will compliance be monitored on an ongoing basis and which authority will be responsible?*

- *What steps will the council take if the approved number is exceeded, including any remedial or enforcement actions*

Residents need certainty that limits will not be exceeded.”

Officer Response: As detailed in section 12.0 of the Committee Report, officers have recommended a condition be attached if planning permission be approved which restricts the maximum number of children. Officers also recommend a condition that ensures the development is in carried out in full accordance with the Management Plan which specifies the number of children. Should any investigations regarding compliance with conditions, or any enforcement action be required, this would be undertaken by Kirklees Council's Planning Enforcement team.

5. The report states that the case officer and the Highways Department visited the property. Please provide:

- *The dates and times of each visit;*
- *Copies of any notes, site assessment forms, photographs, or written reports produced as a result of those visits;*
- *Any technical advice or recommendations provided by Highways in writing*

If documents exist, please supply them to residents or confirm how they may be inspected.

Officer Response: Officers visited the site prior to the recommendation of this application. All publicly required records are available to view online. A written consultation response from KC Highways Development Management is also available to view online with full consideration in the Committee Report at sections 10.18-10.27.

6. Class C2 covers a range of residential institutional uses beyond children's homes. If approval is granted, please confirm what guarantees or conditions the council will impose to ensure the property continues to operate specifically as a children's residential care facility and will not be converted to another form of C2 use without further planning permission. Specify any conditions, legal agreements, or occupancy certificates that will be used to secure that guarantee.

Officer Response: Use class C2 covers residential institutions such as residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres. Given the scale of the application site and associated building, it is considered that any other uses within C2 would operate in a similar manner and therefore there are no planning reasons why the use should be restricted.