

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) Section 191/192

**DELEGATED DECISION FOR APPLICATION FOR CERTIFICATE OF
LAWFUL DEVELOPMENT**

Reference no.: 2025/CL/92297/W

Site: 102, Redwood Drive, Bradley, Huddersfield, HD2
1PW

Description: Certificate of lawfulness for proposed change of
use from dwelling (use class C3) to residential care home (use class C2)

Case Officer: John Holmes

Decision Reference: PROPOSED USE 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.**

Kevin Walton

AUTHORISED OFFICER

Date 14-Oct-2025

Applicant: Templar Hive Ltd

Site: 102, Redwood Drive, Bradley, Huddersfield, HD2 1PW

Description: Certificate of lawfulness for proposed change of use from dwelling (use class C3) to residential care home (use class C2)

Application Ref: [2025/92297](#)

1.0 Application

- 1.1 The applicant seeks a certificate of lawful development from the Local Planning Authority to confirm that altering the use of the building from dwellinghouse (C3) to care home (C2) does not constitute a material change of use and would therefore result in a lawful use.

2.0 Lawful Use Certificates

- 2.1 Section 192(1) of the Town and Country Planning Act 1990 ("The Act) permits any person who wishes to ascertain whether any proposed use of buildings or other land is lawful to make an application to the Local Planning Authority.
- 2.2 Section 191(2) of the Act provides that uses are lawful if the Local Planning authority is provided with information satisfying them that the use of operations described in the application would be lawful if instituted or begun at the time of the application.
- 2.3 For the purposes of the Act, a use is lawful at any time if no enforcement action may be taken against the use, and the use does not contravene the requirements of any enforcement notice then in force.

3.0 The Relevant Test

- 3.1 The burden of proof lies firmly with the applicant and the relevant test for whether the operations can be deemed lawful is on the 'balance of probability'.
- 3.2 The Applicant's evidence does not need to be corroborated by 'independent' evidence. If the Local Planning Authority has no evidence of their own, or from others, to contradict or otherwise make the applicant's version of events less probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the granting of a certificate on the balance of probability.

4.0 Limitations

- 4.1 The Lawful Development Certificate (LDC) must contain details of what use or operations are found to be lawful, why and when. The details will

not be legally equivalent to a planning condition or limitation. They will be a point of reference specifying what was lawful at a particular date, against at which any subsequent change may be assessed. If the use subsequently intensifies or changes in some way to the point where a 'material' change of use takes place, the Local Planning Authority may then consider further development has taken place.

5.0 Relevant information

- 5.1 The application site is at 102 Redwood Drive which is a large, detached dwelling located at the northern part of Redwood Drive. The property is two storeys in height and is constructed from red brick with a concrete tiled roof. There is a driveway to the front of the property leading to an integral garage which sits alongside a front garden area. To the side of the property are mature trees and to the rear is a further amenity space. The property has a rear elevation which hosts a part-width single storey projection and a single storey side/rear conservatory.
- 5.2 The property is located along the northern boundary of the residential estate with residential properties to the south, south-east and south-west with commercial properties within Pennine Business Park and Bradley Business Park to the north, north-east and west.

6.0 Planning History

- 1986/05708 Erection of computer centre, paper warehouse office block and ancillary facility including improved drainage and 3m high security fence
Granted
- 1988/06578 Erection of 129 dwellings and garages with associated Leisure Facilities
Granted Conditionally – Appeal part upheld/part dismissed
- 1990/01241 Erection of 40 no. detached dwellings
Conditional Full Permission
- 1991/02033 Erection of 26 dwellings and garages
Conditional Full Permission
- 2023/90936 Partial demolition and construction of new dwelling, detached garage and associated alterations
Refused – appeal dismissed

7.0 Representations

- 7.1 The Kirklees Development Management Charter details how the Local Planning Authority will undertake a formal period of publicity. The Charter is clear (page 4) that notification on types of application for which there is no statutory requirement to do so will not be carried out. This

includes applications for certificates of lawfulness of proposed/existing use or development. The Charter goes on to comment (page 7) that applications for certificates of lawfulness for existing or proposed use/development will not be advertised by site notice, neighbour notification letters or newspaper advertisement, however the applications will be advertised on the Kirklees website.

- 7.2 As a result of the application being advertised on the Kirklees Council website, 265 representations have been received in total. These comprise of 12 representations in support of the application and 253 representations raising objections to the application. The comments received are summarised below:

Deeds of Covenant

- All property owners of properties on Woodland Glade estate have signed up to Deeds of Covenant which states *'That no part of the property shall be used for any purpose other than as or incidental to a private dwelling'*
- Deeds also state "To ensure that nothing shall at any time be done on the property or any part of the estate that shall be or become a nuisance, annoyance or injury to any part of the estate or its occupiers"
- Covenant legally precludes any change of use of a residential property

General Comments

- Devaluation of properties
- Setting a precedent for other properties on the estate to be used as Children's Homes in close proximity of each other
- Inappropriate use of property a non-family home
- Local residents not adequately consulted about the proposed changes to the property and approving under a Certificate bypasses public scrutiny and accountability
- Exclusive facilities which are outlined on the applicants website are only available to residents and some are not age appropriate
- Would require own commercial waste arrangements
- While the application states a maximum of 3 children, there are no safeguards in place to prevent future expansions or more intensive uses once a C2 classification is granted
- The website claims the company is a registered Ofsted provider. However, a search of the Ofsted website reveals no registration under the company's or owner's name
- Inappropriate location
- Set a precedent for commercially activity and threatens the integrity of the neighbourhood
- Loss of a family home
- Lack of public consultation
- This will be detrimental to the neighbourhood which is for residential use only and not for businesses
- Application should be referred to Planning Committee

- Would be a clear breach of the Contract held between the Management Company and all householder stakeholders
- Contrary to Policies within the Local Plan
- Lack of information regarding the background of specific needs of the children who would be placed at the property
- Impact on rental market
- The 2024 Children's Home Workforce Census suggests that most children's homes operate with 6 staff members per occupied bed, suggesting that the home could have 18 members of staff, judging by the suggested occupancy of 3 young people, as outlined by the planning application

Impact on the character of the area

- Negative impact on neighbouring properties
- Inappropriate use of property on a private residential estate
- Out of character with the ethos of the estate
- Introduction of residential institution/care home fundamentally alters the character of the area and undermines the community cohesion residents have paid a premium to enjoy
- Neighbours are also likely to feel overlooked and concerned for their safety if staff and unknown visitors are loitering around the property
- The development would require significant security and safety modifications (CCTV, secure access, fencing, anti-ligature fittings, fire safety systems), which would alter the residential character of the estate
- Contrary to Council's policy aims of preserving residential housing supply
- Changing a property from a single household to a fully 24 hourly staffed residential institution represents a change and over-intensification of use

Lawful Use Certificates

- Minimal information submitted that the proposed change of use is not lawful and should therefore be withdrawn or differed by officers as Section 191(2) of the Town and Country Planning Act 1990 provides that the uses are lawful if the Local Planning Authority is provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application
- Insufficient information provided

Children's Homes (England) Regulation Act 2015

- Requires that children should have personnel space and have suitable facilities to meet in private. Comparing plans of existing house layout on a previous planning application and the information from the applicant being 3 children, a manager working from 9-00am to 5-00pm and 2 support staff working a shift from 8-00 am to 8-00 am next day, with staff sleeping over. Are the 2-support staff be expected to share a bedroom

and how will the ground floor layout be configured to provide sufficient accommodation to meet the requirements of the Regulations without structural modifications

Crime and disorder

- Research shows that 'looked after' children are more likely to commit crimes and being more criminal destructive behaviour to the area
- Property is located at the top of the estate next to a business park which is well known for drugs and substance abuse
- Raises safeguarding concerns for existing families on the estate
- Raises safeguarding concerns for the proposed looked after children
- With a large volume of unfamiliar cars and traffic, the security that residents rely on will be compromised
- Potential for anti-social behaviour including vandalism, graffiti, theft, drugs, unexplained disappearance of pets
- Attraction of unwanted visits from the criminal fraternity seeking to groom those individuals who would be housed there
- From an Ofsted report from 2023, it is clearly documented that children's homes directly lead to issues leading to the requirement for Police callouts from absconding
- The presence of these individuals for sex trafficking (which is quite prolific in the Ashbrow ward) again puts other children at risk of also being groomed and trafficked
- The property does not offer the kinds of security measures seen commonly on other residential care settings, gates, locks etc. and their addition would ruin the character of the area
- The proposed care home is at the head of a dead end and therefore all traffic to 102 Redwood Drive will require to pass through the whole of the open plan estate. All the children will therefore become a potential target
- Risk of child exploitation to both existing and future child residents
- The threat of these untoward occurrences happening to myself or my family is as damaging to mental health as the deed itself
- Concerns regarding safety of the elderly
- The children attending the local school will have to walk by this house, potentially exposing them to danger
- There will be a loss of privacy for the immediate neighbours. They would be constantly disturbed by and worried for the welfare of children when seeing and hearing the comings and goings of different vehicles
- It is critical that the Council consults with the local police to assess whether this development would place additional strain on police resources or lead to an increase in local crime or disorder. Kirklees council have a duty to consult West Yorkshire police and this comment is formally informing Kirklees council and making them aware that the surrounding area is one of increasing criminal activity

Traffic and parking

- With 3 children and 3 staff members, this would inevitably increase in vehicle movements throughout the day and night due to staff shift changes, visiting professionals and visitor traffic
- Property is on a dead-end would lead to traffic congestion and a serious lack of on-street parking for residents
- Highway safety risks due to increased traffic could pose safety risks to pedestrians, particularly children, elderly residents and pets
- The property is located at the end of a cul de sac where there is a turning area used by refuse collection vehicles, gritters and emergency services etc. There is already inconsiderate parking in this area from people visiting premises on the business park that would be exacerbated by staff parking here particularly at shift changes or when vehicles are collecting and returning school children
- Redwood Drive is not designed to accommodate this level of vehicle activity
- Insufficient on-site parking
- The staff will be engaged in 18 movements per day, both day and night, in addition to visits from carers and other relevant agencies
- There will also be multiple taxis to deal with the school run and other appointments
- Only one parking space on the driveway

Impact on amenity

- Significant loss of amenity for neighbours due to increased traffic/vehicular movements
- Increased noise from increased traffic, people arriving and leaving the property at various times and general activity associated with a commercial institution particularly during the evenings and weekends affecting peace and quiet
- Loss of privacy with increased activity and potential overlooking
- Neighbours will be subject to noise, disruption and anti-social behaviour
- A percentage of staff will likely smoke and cigarette breaks will impact upon the neighbours due to odour

Supporting comments

- Need more of such services in the local area which provide a safe environment for at risk children
- Property previously occupied by a family of seven. The proposed children's home will have a maximum of five occupants (three children and two carers), which is actually fewer than the previous occupancy count
- It will remain a family-style residence, with no external changes, so the character of the estate is unaffected
- Traffic and parking no greater than that of an ordinary household
- With fewer overall occupants than before, no reason to expect extra noise or disturbance

- Well-managed proposal that remains fully residential in character, is regulated by Ofsted and addresses important need for children in care and represents a positive and appropriate use of the property
- The house is in a lovely community – a wonderful place to nurture children
- Matters such as anti-social behaviour, assumptions about children in care or access issues relating to Woodland Glade facilities, deeds of covenant, or the estate website are not material planning considerations
- This proposal maintains the residential character of the estate. It represents a small-scale, well-managed children’s home which is entirely compatible with the existing use of the property as a dwelling
- The house will remain a residential property, with three children and carers living there as a small household. There are no building changes, and day-to-day use will be no different from any other family home in the area
- Not every child who ends up in a children’s home is a criminal, as was implied at the meeting. Many are just young people who have had a difficult start in life. I strongly believe that everyone deserves a second chance, and that includes children who need a safe, supportive home
- The scale is very small, and in reality it will have no more impact than a typical family household. I believe it is important that our community can also play a part in providing a safe home for children who need it
- Worries about risk or “unsavoury activity” are misplaced. This home will be tightly regulated by Ofsted, with trained staff on site around the clock. That makes it one of the safest, most supervised homes in the area. If anything, it adds security to the neighbourhood

7.3 In response to the objections and concerns raised further information has been submitted, by the applicant, in response making the following points / observations –

- The property will remain in residential use, occupied as a home by three children and their carers
- No external alterations, and the day-today use will be indistinguishable from that of an ordinary family household
- Presence of carers in place of parents does not alter the essential residential character of the property
- Concerns have been raised about parking and traffic, but these are overstated.
- In the application that staff work in managed shifts so that vehicle movements are limited, and the property has driveway space for two vehicles, consistent with other homes in the area.
- The house has previously accommodated a larger family with multiple cars, so there is no reason to expect an increase in parking pressure. Even where there is an occasional use on-street parking, this is no different to the established practice of existing residents, and it does not cause obstruction or congestion
- Other objections raise matters such as anti-social behaviour, assumptions about children in care, or access issues relating to

Woodland Glade facilities, deeds of covenant, or the estate website. These are not material planning considerations

- The home will be regulated by Ofsted and professionally staffed to high standards
- This is a modest and responsible proposal that ensures the property continues to serve as a residential home. It does not create new impacts for the estate, and instead makes a valuable contribution to meeting an identified community need.

7.4 In response to all the above comments, the National Planning Practice Guidance states that in relation to Certificates of Lawful Development (Paragraph: 008 Reference ID: 17c-008-20140306) that '*Views expressed by third parties on the planning merits of the case, or on whether the applicant has any private rights to carry out the operation, use or activity in question, are irrelevant when determining the application.*' Therefore, whilst significant concerns have been raised regarding the application, these are not considered to be a consideration which is material in determining whether the proposed use constitutes a material change of use.

8.1 Evidence submitted in support of the application

8.1 At the time of submission, the applicant has provided the following information:

- Application form
- Location plan
- Block plan
- Evidence to verify application

8.2 At the request of the Local Planning Authority the applicants completed and submitted a Management Plan.

8.3 Further information was submitted by the applicant in the form of:

- Noise and Disturbance Policy
- Safety and Security Policy
- Neighbour and Community Policy
- Visitor Management Policy
- Parking Policy
- Good Neighbourhood Charter
- Response to objections raised

9.0 Evidence submitted against the application

Third party representations have been submitted (summarised in section 7). Some of which assert that minimal / insufficient information is submitted. The burden of proof for an application seeking a certificate of lawfulness is for the applicant to demonstrate.

10.0 Site visit

10.1 A site visit by the Case Officer was not considered necessary in this instance.

11.0 Assessment of evidence

- 11.1 Section 55 of the Act establishes that the making of a material change of use of a building represents development. The consideration is whether such a proposed change of use is material for the purposes of Section 55.
- 11.2 The recognised starting point in considering whether a material change of use has occurred would be to initially consider the planning unit (*Burdle v SoS [1972]*). The existing planning unit is a detached, two storey residential dwellinghouse and its curtilage which includes a driveway, integral garage and amenity space to the side and rear. Any material change of use is considered with the planning unit indicated on the land edged red on the submitted location plan (drawing number PP-14064352v1).
- 11.3 Materially, the context of the meaning of development is dependent upon whether there is a material change in the character of the property (*Guildford Rural DC v Penny (1959)*). A change of use from C3 dwellinghouse to residential care home C2 is not always considered to change the type of use, if that change is not material in planning terms, as the carers and children may emulate a residential use as closely as possible, whilst remaining residential in terms of style and use.
- 11.4 However, a residential use for care purposes may fall within C3(b) (dwellinghouses with up to six people living together as a household with care), C2 (Residential Institutions) or C2A (Secure Residential Institutions).
- 11.5 With regards to the proposed use, *North Devon District Council vs Secretary of State [2003]* states that: *“children need to be looked after. They cannot run a house. They cannot be expected to deal with all the matters that go to running a home.....children are regarded as needing full time care from an adult, someone to look after them, someone to run their lives for them and someone to make sure that the household operates as it should.”*
- 11.6 On 23rd May 2023, the Housing Minister issued a written ministerial statement on planning for accommodation for looked after children. The Statement sets out that the planning system should not be a barrier to providing homes for the most vulnerable in society. The Statement also sets out that planning permission will not be required in all cases of development of children’s homes, including for changes of use from dwellinghouses in Class C3 of the Use Classes Order 1987 where the

children's home remains within Class C3 or there is no material change of use to Class C2.

- 11.7 However, the North Devon judgement confirms that it is unrealistic to expect children to look after themselves in a single household C3(b). Moreover, even if 24- hour care was being provided based on a shift pattern, it held that the carers must have also been living full time on the premises for it to be capable of being considered a household for the purpose of Use Class C3.
- 11.8 The Use Class Order defines 'care' as meaning '*personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment...*'
- 11.9 The submitted Management Plan which was completed at the request of the Local Planning Authority states the property would accommodate a maximum of 3 children at any one time. It states that the Home would support children aged 9-17 with mild to moderate emotional and behavioural difficulties (EBD). It goes on to state that 2 no. members of staff would be present at the home during the 24-hour period working under 3 x shift periods. It clarifies that shift handovers would occur at 7:30am, 3:00pm and 10:00pm involving no more than a 15-minute overlap.
- 11.10 The use of 102 Redwood Drive for 3 no. children and 2 no. staff would not fall within Class C3 as the carers would not live permanently within the premises and as such, cannot be considered to be living as a single household.
- 11.11 The care of children in these circumstances can more accurately be considered to fall within Class C2 (Residential Institution).
- 11.12 Therefore, consideration needs to be given as to whether a C2 use, operated in this manner proposed within the submitted information would constitute a material change of use of a building which represents development.
- 11.13 A change of use from dwelling to a care/children's home would not always be considered to change the type of use of the property. In this instance, the applicant submits that *...this proposal maintains the residential character of the estate. It represents a small-scale, well-managed children's home which is entirely compatible with the existing use of the property as a dwelling.*
- 11.14 However, the question of what constitutes material is a matter of fact and degree for the Local Planning Authority to determine in the first instance and the Secretary of State in the event of an appeal.

11.15 The key test of materiality in a change of use is whether there would be a change in the character of the use of the premises. This entails giving particular consideration to the proposed use, having regard to the activities proposed to be undertaken and whether those activities would exceed what might reasonably be undertaken at a dwellinghouse.

11.16 It is expected that a dwellinghouse would have occupants on a permanent basis and it would not be unusual for children to make up part of a family home. The use proposed in this case would include a maximum of 3 children and it is likely that this would form their permanent address for an unspecified period of time.

11.17 There would be 2 no. employees at the site at all times on a shift rota. The submitted Management Plan states that this would be in the form of the following pattern:

- *Morning shift: 7:30am to 3:00pm – (1 care staff + 1 manager on site)*
- *Day shift: 3:00pm – 10:00pm (1 care staff + 1 senior on site)*
- *Night shift – 10:00pm – 7:30am (2 staff – one on duty and one sleep-in staff) and a senior staff could be rota'd into this shift*
- *Shift handovers occur at 7:30am, 3pm, and 10:00pm, involving no more than a 15- minute overlap.*

There will be a maximum of 2 Templar Hive staff at any one time.

11.18 In most cases, the presence of non-caring staff such as a day/office Manager working alongside rotated staff would introduce a function to the dwellinghouse which is not akin to the use of the a property a dwellinghouse would not generally be supported however in this case, the details cited above indicate that the Manager would work alongside the 1 no. care staff as part of the 1:2 staff to child ratio. It is however noted that this is also subject to Ofsted regulations with regards to the presence of a Manager. The application form states that there would be 2 staff on site 24 hours a day plus a manager working office hours Monday to Friday. This has been updated and altered via the submission of the Management Plan and therefore considered to supersede the details within the application form.

11.19 From the details submitted, the principle of 3 children with 2 adults residing at the property aligns with what would be typical of a C3 (dwellinghouse) use. This does not appear to be an unreasonable number of people and would be akin to a typical to the size of the detached property.

11.20 However, this does not show that the character or use of the property would be materially different to that of a dwellinghouse. The Management Plan states that the home will support children with mild to moderate EBD as opposed to, say children with supporting care needs other than behavioural disorders which may not have the same impact. EBD care needs could be something different to a typical dwellinghouse.

Cognisance is given here in relation to a recent appeal (ref: APP/Z4718/X/23/3335781) which relates to an appeal to refusal of application [2023//92843](#) by the LPA. The inspector was clear that it is for the applicant to show no impact would be caused by accommodating persons with EBD care needs. In this instance the applicant claims the accommodation would be for children with mild to moderate EBD although it also claims that children with more complex needs would only be placed if deemed appropriate, thus not ruling out children being accommodated with complex needs. Consequently it is considered the applicant has not clearly demonstrated any impact would not result in a material change.

- 11.21 The details submitted are clear in that the staff would work on a shift pattern and that there would be regular shift changes. The details cite that there would be 3 no. shift patterns including a morning shift, day shift and night shift. The shift changes would include a no more than 15-minute overlap. A Parking Policy has been submitted which highlights good practice in terms of parking on the private drive, the use of car-share or public transport where feasible. Whilst this forms part of the Parking Policy, there is no evidence submitted as to the ratio of staff that would/would not drive to the site to commence their shift. It is noted that the Policy states that staff should park on the driveway wherever possible however there are no details regarding the use of the integral garage, given that there is realistically only one parking space available on the driveway and therefore only one vehicle parked on the premises and the others parked on-street.
- 11.22 It is therefore likely that when 2 no. staff are replaced with 2 no. staff that there would be up to 4 no vehicles in attendance at the property, manoeuvring and parking at and within close proximity to the residence at every shift change (7:30am, 3:00pm and 10:00pm) every day, 7 days a week. There would also be visitors from professionals and potentially family and/or significant others (as stated within the Management Plan) which could result in further vehicles at the property at certain times.
- 11.23 This is an identical scenario to that within the aforementioned appeal decision under reference APP/Z4718/X/23/3335781 whereby the Inspector concluded that *'The manoeuvring of vehicles on this scale and pattern is not typical of activities at a C3 dwelling. In my view it would be very noticeable to neighbouring occupiers, particularly since it would take place at weekends as well as weekdays and would mark the appeal property out as something other than a dwellinghouse. It may be that the use could be managed to address these issues, but that is for the appellant to show.'* Therefore, given the view of the Inspector with regards to a similar scheme (in terms of staffing numbers), it is the view of the Local Planning Authority that based on a similar model in this case, the number of vehicular movements, particularly at shift change times, would not be typical at a C3 dwellinghouse.

- 11.24 In terms of the character of the area and the perception from a significant number of representations that there may be potential for the children to commit anti-social acts or behaviour.
- 11.25 The process of a Certificate of Lawful Development is limited to assess whether there has been a material change in the character of the use of the premises. If there is no material specific evidence that the supposed effects of the dwellinghouse proposed to be used as a C2 dwellinghouse would materially alter the character of the property, then Officers are unable to take a general observation into account. Children in care still require to be looked after and it is not reasonable to assume that looked after children would automatically be susceptible to criminal activities. Information has been received from the applicant in the form of a number of Policy documents which includes a Noise and Disturbance Policy, Security and Safety Policy, Neighbour and Community Engagement Policy, and Good Neighbour Charter and a Management Plan which address procedural matters should issues arise.
- 11.26 In terms of planning control, the use of the building for the care of 3 children with EBD looked after by 2 staff comprising off 3 no. shift changes per day, 7 days a week and the significant resulting traffic movements associated with such a use would, on the balance of probability alter the character of the property and would be materially different to that of the existing lawful use as a C3 dwellinghouse and would therefore result in a material change of use of the property which would require planning permission.
- 11.27 In relation to the representations received, concerning deeds and the specific requirements of them. This is a legal matter which would not be overridden in the event of any grant of approval for certificate of lawfulness in this instance.
- 11.28 The summarised general comments impact upon character of the area, requirements of separate legislation concerns relating to crime / disorder, traffic, parking & amenity and the comments in support of the proposal are noted. However they relate to matters which are not considered to be material to considering whether the proposed use would constitute a material change of use.

12.0 Recommendation

- 12.1 Based on information above, it is concluded, on the balance of probabilities, that the proposed use of the dwelling as a residential institute for 3 children with 2 carers per shift working 3 shifts throughout a 24 hour period within the land edged red on the submitted plan amounts to a material change of use as defined by Section 55 of the Act. The change of use is considered to change the character of the property. It is therefore recommended to refuse the certificate and a planning application for full consideration of all "planning" matters fully assessed.

Recommendation: Refuse Certificate

Decision Authorisation – Delegated Powers

Application number: 2025/92297

Officer Recommendation:

On the balance of probabilities, the occupation of the building at 102, Redwood Drive, Bradley, Huddersfield, HD2 1PW by 3 children aged 9-17 with care provided by staff, with 2 carers per shift working 3 shifts throughout a 24 hour period within the land in addition to visits from professionals within the land edged red on the submitted plan amounts to a material change of use from a Dwellinghouse (Class C3) to a Residential Institution (Class C2) as defined by the Use Classes Order 1987 (as amended).

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	PP-14064352v1		14 th August 2025
Block plan	TQRQM25153113018007		14 th August 2025
Management Plan			9 th September 2025
Noise and Disturbance Policy	Templar Hive Children's Homes		12 th September 2025
Safety and Security Policy	Templar Hive Children's Homes		12 th September 2025
Neighbour and Community Engagement Policy	Templar Hive Children's Homes		12 th September 2025
Visitor Management Policy	Templar Hive Children's Homes		12 th September 2025
Parking Policy	Templar Hive Children's Homes		12 th September 2025
Good Neighbourhood Charter	Templar Hive Children's Homes		12 th September 2025
Supporting Statement			29 th September 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 2015 and otherwise actively engaged with the applicant in dealing with the application.

Report date: 7th October 2025

