Planning Objection Letter

To: Development Management, Kirklees Metropolitan Borough Council

Subject: Objection – Proposed Conversion of Former Nursery at 14B Holly Bank Road, HD3 3JE to 4 Flats 2025/CLASS MA/93043/

Date: 12th November 2025

I wish to object to the above planning application for the change of use and conversion of the existing nursery and out-of-school community facility at 14B Holly Bank Road, HD3 3JE into four residential flats. This site has provided a valued nursery and wrap-around childcare service for local families, forming a key part of early-years and community education provision within this part of Kirklees. The proposed loss would directly conflict with the Council's adopted Local Plan policies PLP 48 and PLP 49, and national planning policy within the National Planning Policy Framework (NPPF, 2021, para. 95), which give great weight to the creation and protection of education and community facilities.

1. Conflict with Policy PLP 48 – Community Facilities and Services

Policy PLP 48 states that: 'Development resulting in the loss of land or premises used for community facilities and services will not be permitted unless it is demonstrated that the facility is no longer required, not viable, or an equivalent replacement is provided in an accessible location.'

The application fails to demonstrate any of these requirements:
- There is no evidence that the nursery or out-of-school facility is no longer needed.
- There is no viability assessment or evidence of active marketing at existing use value, as required by PLP 48.
- No alternative provision is proposed or identified to serve the families who rely on this facility.

The proposal would therefore result in the unjustified loss of a valued community use, contrary to PLP 48.

2. Conflict with Policy PLP 49 – Educational and Health Care Needs

Policy PLP 49 supports the creation, expansion, or improvement of education facilities where they address identified need and are well-related to the community they serve. By contrast, this proposal removes a functioning early-years education facility without any replacement. This is the direct opposite of what PLP 49 seeks to achieve.

3. National Planning Policy Framework (NPPF, para. 95)

Paragraph 95 of the NPPF (2021) states: 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Great weight should be given to the need to create, expand or alter schools.' Early-years settings such as nurseries fall within this principle. Approving this proposal would undermine local childcare sufficiency, contrary to the NPPF's clear direction to support rather than diminish education provision.

4. Community Value and Precedent

The site historically provided both nursery education and wrap-around childcare, serving working families throughout the HD3 area. The loss of this use would remove a service that directly supports early-years education, parental employment, and community wellbeing. Planning Inspectors have repeatedly upheld the importance of community facilities under policies equivalent to PLP 48—for example, the 2023 Kirklees appeal where an Inspector concluded that the proposal would lead to the unjustified loss of a community facility.

5. Cumulative Impact and Sustainable Development

The surrounding area has seen continued housing growth, increasing demand for local childcare and out-of-school provision. Converting this site to residential use may be profitable for the applicant, but it erodes essential community infrastructure. This is inconsistent with the sustainable development objectives of the Local Plan and the NPPF (paras 8 and 92).

Summary of Reasons for Refusal

This application should be refused because it:

1. Fails to meet Policy PLP 48—no evidence of lack of need, non-viability, or replacement facility.
2. Conflicts with Policy PLP 49—reduces, rather than supports, educational provision.
3. Contravenes NPPF para. 95—removes a valued educational/childcare resource.
4. Causes harm to the community by reducing accessibility to early-years and wrap-around care.
5. Sets an adverse precedent for the loss of other community facilities across Kirklees.

Conclusion

For the reasons above, I respectfully request that the Council refuse planning permission for the conversion of 14B Holly Bank Road to four flats, on grounds of conflict with Local Plan policies PLP 48 and 49 and the NPPF. Should the Council be minded to approve the scheme, I urge that Members of the Planning Sub-Committee visit the site and consider the full social and educational consequences of the loss of this important community facility.

Yours faithfully,