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:	**2025/62/93515/W**
Site Address:	70, Alandale Road, Bradley, Huddersfield, HD2 1SB
Description:	Change of use from dwelling (C3) to supported living for up to 2 children (C2)
Recommending Officer:	Danielle Cooper

DECISION – Full Conditional Permission

I hereby authorise the approval 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: 18-Mar-2026

The Site

The application site relates to a semi detached dwelling located in a residential area with properties of a similar age, style and design located to the north, south, east and west.

Description of Proposal

The application is seeking planning permission for a change of use from a residential dwelling (C3) to a supported living home for up to 2 children (C2) at 70 Alandale Road.

The submitted details outline the intention to provide accommodation for two children between 8 and 16 with 2 carers at all times and a manager during the day on weekdays.

As part of the application a supporting statement has been submitted which sets out that the use would operate with 2.no child (6 – 16) placements and with associated staff with a minimum of 2.no staff on duty.

Relevant Planning History

2001/90725 – Erection single storey extension – Refused

Negotiations

Upon receiving comments from Kirklees Council Children's Commissioning, who raised concerns that the size and layout of the property would not be suitable for the originally proposed use accommodating three children, and that the staff facilities would not be adequate, the Local Planning Authority shares these concerns. The scale and intensity of the proposed use were considered disproportionate to the size of the property, and the development would not provide an appropriate level of amenity for three children. In its original form, the proposal was viewed as too intensive.

As such, the case officer requested that the scheme be revised to accommodate a maximum of two children, with at least one dedicated staff bedroom, to ensure that the living environment for both future occupants and staff is of a high standard.

The agent agreed to amend the proposal to a maximum of two children on site, supported by two staff members on duty at all times. This revised arrangement were considered acceptable. Additional publicity was not considered necessary due to the reduction in children at the home.

Representations

The application was advertised by site notice, which expired on 19/02/2026

As a result of the above publicity, 16 representations have been received. The matters raised are summarised as follows:

- The Children's Home is not suitable on a residential street.
- The proposal would permanently alter the character and appearance of Alandale Road.
- Increased traffic negatively impacting pedestrian and road safety.
- No on-site parking provided.
- Increased noise and general disturbance.
- Loss of privacy of neighbouring properties.
- The single storey side extension does not benefit from planning permission and appears to encroach onto the boundary of the adjacent neighbouring property.
- Over-concentration of care facilities.
- The proposal would devalue surrounding properties.
- The proposal would discourage families from remaining in the area.
- Antisocial behaviour and crime.
- The property is not large enough to accommodate the proposed development.
- How old will the children be?
- The information provided within the application form is not correct.
- A Deed of Covenant is currently in place for all properties that reside within the Bradley estate restricting the use of residential homes being used for business purposes.
- The proposal will result in the loss of a family home.
- Concern the company has no previous experience with the type of facility proposed.

The above comments are addressed within the Appraisal section of this officer report.

Consultation Responses

K.C. Designing Out Crime Officer – Initial objection due to the Planning Statement stating that only 1 staff member would care for 3 children at any one time. The agent submitted a further Planning Statement to confirm that 2 members of staff would be present at any one time to care for 2 children. Following this confirmation, KC Designing Out Crime confirmed via email that they no longer object to the proposal.

K.C. Children's Commissioning – Object.
Reasons: The home is not suitable to meet the proposed type of needs of three children. There is only one bathroom for up to three children and three staff. The staff facilities are not adequate.

The type of children's home being proposed is not in line with our placement needs. We have significant over provision of the type of children's home being proposed that far exceeds our children's home needs.

Officer comment: The above objection is noted; however the proposal has been reduced in scale to 2 children to reside at the property with 2 staff members. As such the existing house is considered of a sufficient scale to provide suitable accommodation for the proposed use. In terms of over provision and placement needs, the planning system is limited as to what can be taken into consideration and a reason for refusal on this basis could not be justified in this instance

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 27th February 2019).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map

On 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.

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity

Kirklees Council adopted supplementary planning guidance on house extensions on 29th June 2021 which now carries full weight in decision making. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that this SPD will assist with ensuring enhanced consistency in both approach and outcomes relating to house extensions.

Kirklees Planning Guidance for Children's Homes 2025 provides guidance to assist applicants, planning officers, and stakeholders in the preparation and

assessment of planning applications for children's homes within Kirklees. While it sets out key considerations, policy context, and good practice principles, it is important to note that this guidance does not form part of the statutory development plan and has not been adopted as a Supplementary Planning Document (SPD). As such, it carries limited weight in the formal decision making process but may be used as a material consideration where relevant to the planning judgement of individual cases.

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 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

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

<u>Principle of development</u>:

The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

The Local Plan has no policies specifically relating to care homes. Therefore, there is no presumption against such a use. The principle of the proposal upholds the aims of the NPPF in terms of addressing the needs of groups with specific housing requirements.

In terms of changing the use of the building, Policy LP24 of the Kirklees Local Plan is relevant in conjunction with Chapters 8 and 12 of the NPPF taking into account the character of the area, the amenities of neighbouring properties, highway safety and ensuring the safe operation of the home and community cohesion.

It is proposed that the house would provide accommodation for 2 children with at least 2 staff members in attendance at the property on a shift basis with a manager during the day.

Staff arriving and departing from the property is not considered to result in a change to the character of the area due to the limited number of staff in attendance. There may be at times a number of other professional staff required to be in attendance at the property due to the nature of the change of the use of the building, any additional visitors would not be considered to be dissimilar in nature to the current use of the building as a residential dwelling.

Therefore, in this case, the principle of the use of the building is considered acceptable and the development shall be considered against all other material considerations including the character of the area, residential amenity and highway safety.

Impact on visual amenity:

Policy LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design.

The site currently hosts a residential dwelling with garden space to the rear. There is no proposed change to the exterior of the dwelling or its outdoor area.

Notwithstanding the change of use, there will therefore be no visual changes to the site. It will therefore retain its residential appearance.

It is not considered the proposed change of use would cause harm to visual amenity where there would be sufficient justification to refuse the application on the basis of impact on visual amenity on both the property itself or the wider street scene.

The operational development is considered to be largely the same as that for the existing residential dwelling. As such it is considered that on the basis a condition of any permission requires the development to accord with the submitted plans, the development would have an acceptable visual impact.

It is therefore considered that subject to condition the proposed works would accord with Policy LP24 and advice within Chapter 12 of the NPPF.

Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of 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.

It is not considered that a change of use from a dwellinghouse to a care home would result in noise or disturbance to neighbouring properties to an unacceptable degree over and above that which would be expected from a residential property within a residential area, in this case. This conclusion is drawn having regard to the extent of the use which is proposed in terms of user and staffing numbers. Conditions ensuring the development is operated in accordance with the details submitted are recommended should planning permission be approved.

Having considered the above, the development is not considered to result in any significant adverse impact upon residential amenity of any surrounding neighbouring residential properties, subject to conditions, complying with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

Crime and Anti-Social Behaviour:

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 1998, 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 area 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 potential for increased crime or anti-social behaviour associated with the operation of a children's home at the application site is a commonly held perception; however, national and local guidance clarify that there is no substantive evidence to support a direct link between children's homes and increased crime levels. The guidance issued by Kirklees Council explicitly identifies this as a prevalent myth and notes that such homes are regulated by Ofsted and operate under stringent safeguarding and management frameworks. Furthermore, the submitted management plan (document titled 'Statement' received on 03/03/2026) outlines appropriate operational procedures/measures which contribute to the safeguarding of both residents and the wider community. As such, the proposed development is not considered to result in any demonstrable or unacceptable risk of crime or disorder in the locality.

The safety and wellbeing of the future occupants of the proposed children's home is a key consideration in the assessment of this application. The guidance provided by Kirklees Council highlights the importance of locating such facilities in safe, inclusive, and accessible areas, with appropriate safeguards in place to protect vulnerable children. The application is supported by a management plan which outlines the operational arrangements to ensure a safe living environment.

It is also noted that the Designing Out Crime Officer (DOCO) did not raise any concern with the location of the proposal and removed their objection following the reduction in children and increase of staff on site.

Taking into account the nature of the proposal, its location, and the operational controls in place, it is considered that subject to conditions the development operates in accordance with the scheme as proposed, the development would not present an unacceptable risk of crime to its future occupants.

Impact on highway safety:

Local Plan Policy LP21 states that '*All proposals shall*:

> a. ensure the safe and efficient flow of traffic within the development and on the surrounding highway network…
>
> e. Take into account the features of surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely;'

This is supported by Chapters 9 and 12 of the NPPF and guidance within the Highways Design Guide SPDs.

An informal discussion was held with KC Highways Development Management who confirmed that they raised no objection to the proposed scheme.

It is noted that no on-site parking will serve the property, however as the application seeks a change of use from a three-bedroom dwelling to a supported living facility for children, the proposal would accommodate no more than two children at any one time, with a maximum of two staff members on duty. The use of the property would be comparable to that of a family home, and it is not anticipated that the proposal would result in any significant increase in vehicle movements or parking demand beyond that of a typical residential property and current situation. KC Highways therefore consider the existing on-street parking arrangements to be acceptable.

There may be times when additional vehicles will arrive on time, such as at drop off times and when associated professionals visit. However, the number of visitors is not considered to be over and above what would reasonably be expected from a property in C3 use. Care plans that relate to the number of professionals will be provided on a child-by-child basis. Social workers are likely to visit the site once a month. The type of care provided is suitable for long-term, permanent stays, limiting the frequency of drop-off periods.

Waste collection will continue as existing and is unaffected by the proposal.

It is therefore considered that the proposal would not cause significant detrimental harm to the safe and efficient operation of the highway network over and above that of the existing use which can take place in any event. It is therefore concluded that the proposal is in accordance with Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF.

Other matters:

Sufficiency

Comments have been received from Kirklees Council's Commissioning Manager regarding the sufficiency of provision, specifically in relation to the number of homes currently operating within Kirklees. While these observations are noted and provide useful context, it is important to clarify that sufficiency alone is not a material planning consideration that would justify refusal of the application. The planning assessment must remain focused on land use and planning policy matters, and as such, the concerns raised could not form a basis for refusal.

Biodiversity

A Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission for minor sites granted pursuant to an application submitted after 02 April 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicant has stated the application falls under the '*Di-Minimus'* exemption category within the application forms. A change of use would not result in a loss of wildlife habitat. This is considered to be an applicable exemption in this case.

Carbon Budget

The proposal is a comparative change of use to an existing dwelling. 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.

Representations:

16 representations have been received. The material planning matters raised are summarised as follows:

- The Children's home is not suitable on a residential street.

Response: *As the property would be the primary residence for children, the use is considered to be appropriate within a residential area.*

- The proposal would permanently alter the character and appearance of Alandale Road.

Response: *Notwithstanding the change of use, there will therefore be no visual changes to the site. It will therefore retain its residential appearance.*

- Increased traffic negatively impacting pedestrian and road safety.
- No on-site parking provided.

Response: *The facility will be similar to the use of a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a standard large residential property.*

- Increased noise and general disturbance.

Response: *It is not considered that a change of use from a dwellinghouse to a care home would result in noise or disturbance to neighbouring properties to an unacceptable degree over and above that which would be expected from a residential property within a residential area, in this case.*

- Loss of privacy of neighbouring properties.

Response: *The proposal will not result in the loss of privacy to neighbouring properties. The private amenity space, boundary treatments and external appearance of the dwelling will remain as existing.*

- The single storey side extension does not benefit from planning permission and appears to encroach onto the boundary of the adjacent neighbouring property.

Response: The single storey side extension has been in situ for more than ten years, it is therefore now immune from enforcement action.

- Over-concentration of care facilities.

Response: *This is not a material planning consideration and therefore does not bear weight in the assessment.*

- The proposal would devalue surrounding properties.

Response: *This is not a material planning consideration and therefore does not bear weight in the assessment.*

- The proposal would discourage families from remaining in the area.

Response: *This is not a material planning consideration and therefore does not bear weight in the assessment.*

- Antisocial behaviour and crime.

Response: *Fear of crime is a material consideration where it is based on legitimate evidence. The staff to child ratio (2:2) is suitable for preventing additional risks in terms of anti-social behaviour and the home will be well managed. In the event that planning permission be approved, it is recommended that the decision include a condition requiring the home be operated in accordance with the submitted management plan* (document titled 'Statement' received on 03/03/2026).

- The property not large enough to accommodate the proposed development.

Response: *This response is noted and the amount of children to be cared for at the site has been reduced from 3 to 2, with 2 staff members on shift at any one time which is considered acceptable.*

- How old will the children be?

Response: *The children will be between the ages of 8 to 16.*

- The information provided within the application form is not correct.

Response: *The information provided is considered suffice to be able to make an informed decision.*

- A Deed of Covenant is currently in place for all properties that reside within the Bradley estate restricting the use of residential homes being used for business purposes.

Response: *This is not a material planning consideration and is private civil matter that the applicant would need to address.*

- The proposal will result in the loss of a family home.

Response: *This comment is noted, however given the limited scale of the proposal impacting one dwelling, the loss of one family one for a children care facility is not considered to negatively impact the supply of housing across Kirklees.*

- Concern the company has no previous experience with type of facility.

Response: *Concerns regarding the company are not material planning considerations and therefore cannot be taken into account when determining this application*

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.

No more than 2 children on site and to operate in line with the management plan, to ensure operation of the home is in line with the management plan.

The use shall be operated in accordance with the submitted document titled 'Statement' received on 03/03/2026.

Conclusion:

This application to use 70 Alandale Road as a children's home for two children, with two staff at all times and a 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.

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: 2025/93515
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 number of children living within the building pursuant to this permission shall not exceed two (2) at any time.
Reason: To prevent undue noise and disturbance to neighbouring occupants and to ensure the safe and efficient flow of traffic on Newsome Road, in accordance with LP21, LP22 & LP24 of the Kirklees Local Plan and Chapters 9 & 12 of the NPPF.

4. The use hereby permitted shall be operated in accordance with the submitted document titled ‘Statement’ received on 03/03/2026 for the lifetime of the development.
Reason: In the interests of safe operation and community cohesion and residential amenity to accord with Policy LP24 of the Kirklees Local Plan and policies within Chapters 8 and 12 of the National Planning Policy Framework.

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.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan, Site Plan, Existing and Proposed Floor Plans	2199 01	A	03/03/2026
Statement	-	-	03/03/2026
Climate Change Statement	-	-	22/12/2025

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.

Upon receiving comments from Kirklees Council Children's Commissioning, who raised concerns that the size and layout of the property would not be suitable for the proposed use accommodating three children, and that the staff facilities would not be adequate, the Local Planning Authority shared these concerns. The scale and intensity of the proposed use were considered disproportionate to the size of the property, and the development would not provide an appropriate level of amenity for three children. In its original form, the proposal was viewed as too intensive.
As such, the case officer requested that the scheme be revised to accommodate a maximum of two children, with at least one dedicated staff bedroom, to ensure that the living environment for both future occupants and staff is of a high standard.
The agent agreed to amend the proposal to a maximum of two children on site, supported by two staff members on duty at all times. This revised arrangement was considered acceptable.