

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:	2026/62/90733/W
Site Address:	54, Meltham Road, Lockwood, Huddersfield, HD1 3UP
Description:	Change of use from dwelling (C3 use) to form 2 residential apartments (C3 use)
Recommending Officer:	Elenya Jackson

DECISION – 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.

John Holmes

AUTHORISED OFFICER

Date: 11th May 2026

The Site

54, Meltham Road, Lockwood, Huddersfield, HD1 3UP is a two-storey mid terrace property which fronts onto Meltham Road Lockwood approximately 27m away from the junction with Hansen Way.

The application site is not a Listed Building or located in a Conservation Area. The site is in close proximity to a number of listed buildings, namely the following:

- 46 Meltham Road (ref: 1287750)
- 60 & 62 Meltham Road (ref: 1216014)

These grade II listed buildings are within the same terraced row of which the dwelling forms a part of.

The Proposal

The applicant is seeking planning permission for alterations to one dwelling to create two flats.

The proposals would not involve any external alterations.

Both apartments would be one bedroom flats.

The proposal would see a single storey structure at the lower ground floor level reinstated (as annotated upon the plans) and appears to demonstrate this would be repaired and used for cycle storage. This would serve as the entrance point to apartment no.1 which would have one window at this level, facing into the porch and would have one window at the ground floor level serving a bedroom.

Apartment 2 as annotated upon the submitted plans would see a ground floor entrance point, and a small room annotated as a study at this level. A space for storage of a cycle at the ground floor is shown on this plan. At the first floor level there would be a bedroom and living space served by openings at this level.

Both dwellings and 2 would accommodate separate bathrooms.

Both dwellings would be 1 bedroom dwellings which are spread over 2 floors.

History of Negotiations

N/A

Planning History

There is no planning history for the site which is considered relevant to the current proposal.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice.

Final publicity date expired: 30TH April 2026

No representations were received as a result of the publicity.

Consultations

KC Highways Development Management (informal): no objection.

Allocation & Policies

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 within the Kirklees Local Plan.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP23 Core Walking and Cycling Network
- LP24 Design
- LP30 Biodiversity and Geodiversity
- LP31 Strategic Green Infrastructure Network

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th 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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- 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

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.

Supplementary Planning Guidance

- Highways Design Guide SPD (adopted 4th November 2019)
- House Extensions and Alterations SPD (adopted 29th June 2021)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment

1 – Principle of development:

Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

NPPF Paragraph 11 and Policy LP1 of the Kirklees Local Plan outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The site is not allocated for development on the Kirklees Local Plan Policies map. Policy LP2 of the Kirklees Local Plan states that: *“All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...”*

The application proposes to subdivide an existing dwelling. The impacts of this intensified use will be assessed under the Local Plan policies, the Housebuilders Design Guide SPD, and the NPPF.

The 2025 update of the five-year housing land supply position for Kirklees shows 4.18 years supply of housing land, and the 2023 Housing Delivery Test (HDT) measurement which was published on 12/12/2024 demonstrated that housing delivery for Kirklees for the past three years (April 2020-March 2023) has fallen below the 75% pass threshold.

As the council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7); or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

The Council's inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal.

Policy LP7 of the Kirklees Local Plan states encourages the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value and a net density of at least 35 dwellings per hectare should be provided. Principle 4 of the Housebuilders Design Guide seeks to ensure a density of 35 dwellings per hectare or more is achieved. Where a density of 35 dwellings per hectare cannot be achieved, policy LP7 sets out that lower densities will only be acceptable if it is demonstrated that this is necessary to ensure the development is compatible with its

surroundings, development viability would be compromised, or to secure particular house types to meet local housing needs.

The application proposes one (1.no) additional dwelling which would increase the density of development to help meet this requirement. Policy LP11 of the Kirklees Local Plan sets out a requirement for suitable housing mix and affordable homes, the application relates to a single additional dwelling and would contribute to the overall mix of housing.

This development is considered to be acceptable in principle. The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 of the NPPF concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Principles within the Housebuilders Design Guide provide design related policy.

The proposed change of use would not include any significant external alterations. It is therefore considered the extent of the proposed works and proposed change of use would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene complying with Policy LP24 of the Kirklees Local Plan and the aims of chapter 12 of the National Planning Policy Framework.

This conclusion is drawn having cognisance of the fact the proposal would see an existing unsympathetic structure to the front of the host property repaired to be utilised as part of the scheme. The description of the development is change of use only, the works for repair and maintenance of existing structures and the building would likely fall within the extent of works for which an application for planning permission is not required.

3 – Impact on residential amenity:

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

Section B and C of LP24 states that alterations to existing buildings should: "...maintain appropriate distances between buildings" and "...minimise impact on residential amenity of future and neighbouring occupiers."

The nature of the development proposal is not considered to give rise to any detrimental harm to the amenity of any neighbouring dwellings in this case. This conclusion is drawn given the description of development seeking change of use of a building in residential use to a more intensive residential use of the building. Openings would remain within the building within the same elevations as they are currently sited and would not give rise to additional overlooking significantly greater than that which exists already.

Impact on future occupiers

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.

Principle 16 of the Housebuilders Design Guide SPD states that: *“All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Although the government has set out Nationally Described Space Standards (NDSS), these are not currently adopted in the Kirklees Local Plan.”* Further to this,

National space standards require the following gross internal floor areas:

- 1 Bedroom, 2-person dwelling set over 2 storeys - 58 square metres
- 2 Bedroom, 3-person dwelling set over 2 storey - 70m square metres
- 2 Bedroom, 4 person dwelling set over 2 storey - 79 square metres

Both flats would have one bedroom and would be set over two storeys and therefore would be required to have a footprint of 58m². The floor plans demonstrate the flats would have a footprint of 43m² and 55m² which would fall short of space standards.

The outlook for the living space for the dwelling annotated ‘Apartment 1’ is solely from a window which will be facing into a porch structure. Whilst the porch structure appears to be a translucent roof construction the outlook for this dwelling would be limited and the provision of natural light restricted. Coupled with the shortfall in relation to space standards as required by principle 16 of the SPD it is considered that the impact to the amenity of the occupiers of this dwelling would fall short of that which would be expected to ensure an acceptable standard of housing environment. It is therefore concluded that the proposal would have a resultant unacceptable impact in relation to the residential amenity of occupiers of this dwelling despite the shortfall of the NDSS space standard being 3m² and this dwelling being the dwelling closest to achieving the space standard (yet still being short of the recommended standard).

The dwelling annotated ‘Apartment 2’ on the submitted plans is 15m² short of the recommended space standard (being 43m² with the standard being 58m²). Whilst better served in terms of windows and outlook and natural light being of a better standard than the dwelling annotated ‘Apartment 1’, the substantial

shortfall is considered to lead to a dwelling which would have cramped layout with a limited space for providing a usable living space in particular with this area combined with the kitchen facilities. As such it is considered that the proposal would have a resultant unacceptable impact in relation to the residential amenity of occupiers of this dwelling.

With regard to Principle 17 of the Kirklees Housebuilders Design Guide SPD outlines that: *“All new houses should have adequate access to private outdoor space that is functional and proportionate to the size of the dwelling and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces.”*

It is noted that the existing dwelling does not have a large amount of private amenity space at present. As such it is considered that on balance the extent of amenity space provision would be sufficient / commensurate to the proposed dwellings and refusal on grounds of the level of external amenity space provision could not be substantiated in this case.

As set out earlier within this section, it is considered that the proposed development would not provide suitable floor space provision / layout arrangements for future occupiers of the development. The layout of the flats is constrained by the requirement for the floor space being spread across different floors within the property. Given the layout of the dwellings and resultant space for future occupiers it is concluded the development would have an unacceptable impact for the residential amenity of future occupiers of the development.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide and Principle 10 and 12 of the Housebuilders Design Guide SPD seek to ensure sustainable transport modes are supported and acceptable levels of off-street parking are accommodated. The policy background advises that new development would normally be permitted where safe and suitable access to the site can be achieved for all people, and where the residual cumulative impacts of development are not severe.

The plans have been reviewed with KC Highways and no objections raised. Whilst the proposal would see the creation of an additional dwelling and there would be an extent of additional pressure upon the highway network, this is not considered to be to a significant degree in this case. The proposal would be in a sustainable location close to a number of public transport links and there would be scope for a level of cycle storage within the site. A condition requiring submission of details for cycle storage is recommended to be included as part of any grant of permission.

There are bin storage arrangements for both dwellings in front of the dwelling. Three bins are required to be provided on site in line with councils future waste targets and the proposed storage location would not be in-keeping with the street scene; however, it is considered the plans could be amended or a condition imposed to ensure details were re submitted to the rear and it would be unreasonable to add this as a reason for refusal in this instance.

It is therefore considered that the proposed development would not have a detrimental impact on highway safety and is compliant with Policies LP21 and LP22 of the Kirklees Local Plan, as well as guidance set out in the NPPF.

5 – Other matters:

Climate Change

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 pre-dates 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.

In this case, a climate change statement has been provided in support of the application. This includes a number of measures to contribute to lowering emissions from the development. Given the nature of the proposal and extent of submitted detail and measures proposed it is considered the development would be acceptable in this regard.

Biodiversity

Chapter 15 of the NPPF relates to conserving and enhancing the Natural Environment. Paragraph 179 of the NPPF outlines that decisions should promote the protection and recovery of priority species, and identify and pursue opportunities for securing net gains for biodiversity. Paragraph 180 goes on to note that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Due to the proposal not increasing the footprint of the building, the site qualifies as a de minimis exemption in relation to the legislative requirement for the provision of BNG and therefore no further details are required. The small scale of the proposal would not raise any significant impacts to existing vegetation or biodiversity. As such, it is proposed that this would require no additional compensation or mitigation to improve biodiversity to make it

acceptable in line with KDP 12-13 of the SPD and Policy LP30 of the Kirklees Local Plan.

6 – Representations:

None

7 – Conclusion:

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.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would not constitute sustainable development and is therefore recommended for refusal.

Recommendation

REFUSE

Decision Authorisation - Delegated Powers

Application Number 2026/90733

Officer Recommendation: refuse

1. The proposed development would fail to accord with the nationally described space standards and would fail to adequately meet basic lifestyle needs. Therefore, the proposal would provide an unacceptable standard of living for future occupants and would fail to accord with Policy LP24(b) of the Kirklees Local Plan, Principle 16 of the Council's Housebuilders Design Guide SPD, and Paragraph 135(f) of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Site location plan	100		16.03.025
Proposed floor plans	103		16.03.025
Existing floor plans	101		16.03.025
Existing cross section	102		16.03.025
Application form	-		16.03.025
Climate Change Statement	-		16.03.025

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 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. No amendments were considered identifiable to address the reason for refusal in this case and as such the LPA has progressed the application on the basis as submitted.