Application Number	
Date Logged	
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Card	Other
KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY ONLY

Planning - PO Box 1720, Huddersfield, HD1 9EL
E-mail: planning.portal@kirklees.gov.uk **Tel:** 01484 414746

Application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

85b

Address Line 1

Marsh Lane

Address Line 2

Shepley

Address Line 3

Town/city

Huddersfield

Postcode

HD8 8AP

Description of site location must be completed if postcode is not known:

Easting (x)

418931

Northing (y)

409637

Description

Applicant Details

Name/Company

Title

Mrs

First name

Joan

Surname

Newton

Company Name

Address

Address line 1

85

Address line 2

Marsh Lane

Address line 3

Town/City

County

Country

GB

Postcode

HD8 8AP

Are you an agent acting on behalf of the applicant?

◯ Yes
⊘ No

Applicant Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Eligibility

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible.

The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

The questions below will help determine if the proposals are eligible for this permitted development right.

The current building and site

Please note: Eligibility questions relating to the current building being vacant for 3 months, and it's floorspace not exceeding 1,500 square metres were removed after these limitations were lifted by government on 5 March 2024.

Has the use of the building, for a continuous period of at least 2 years immediately prior to the date of this application, been any of the following:
• For periods prior to 1 September 2020
- Shops (Use Class A1);
- Financial and professional services (Use Class A2);
- Food and drink (Use Class A3)
- Business (Use Class B1);
- Medical or health services
- Non-residential institutions (Use Class D1(a));
- Crèche, day nursery or day centre
- Non-residential institutions (Use Class D1(b));
- Indoor and outdoor sports
- Assembly and leisure (Use Class D2(e)), other than an indoor swimming pool or skating rink;
• For periods from 1 September 2020
- Commercial, Business and Service (Use Class E)

⊘ Yes
◯ No

Is any land covered by, or within the curtilage of, the building:
• in a site of special scientific interest;
• a listed building or land within its curtilage;
• a scheduled monument or land within its curtilage;
• a safety hazard area;
• a military explosives storage area;
Or, is the building:
• in an area of outstanding natural beauty;
• in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
• in the Broads;
• in a National Park;
• in a World Heritage Site

◯ Yes
⊘ No

The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses from Offices (Use Class B1(a)/E(g)(i)).
Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

◯ Yes
⊘ No / Not relevant

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the nationally described space standard?

⊘ Yes
◯ No

Following the development, will every dwellinghouse in the building remain in use within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?

⊘ Yes
◯ No

Agricultural tenants

To be eligible for this permitted development right, all parties to any agricultural tenacy agreements that are currently in place need to provide consent.

This is to help ensure that agricultural tenants are not displaced to allow a change of use to be carried out.

Is any part of the land covered by or within the curtilage of the building to be demolished occupied under any agricultural tenancy agreements?

◯ Yes
⊘ No

Fire Safety

Where the building (as proposed) exceeds certain limits, legislation has been put in place to ensure the adequate consideration of fire safety by the Local Authority (including its decision to grant prior approval) and other relevant parties.

Would the proposed development result in a building that contains two or more dwellinghouses, and is:
• 18 metres or more in height (as measured from ground level to the top floor surface of the top storey of the building); or
• contains 7 or more stories.

◯ Yes
⊘ No

NOTE: More details on how to measure height and stories are available in paragraph (7) of Article 9A of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the related government guidance.

Description of Proposed Works, Impacts and Risks

Proposed works

Please describe the proposed development including details of any dwellinghouses and other works proposed

No proposed work.

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses

All rooms have at least one window, including kitchen and bathroom. Living room and bedroom have duel aspect windows.

What will be the net increase in dwellinghouses?

1

This figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the existing building prior to the development.

Impacts and risks

Please provide details of any transport and highways impacts and how these will be mitigated, particularly to ensure safe site access

The proposed development relates to the change of use of an existing building from commercial office (Use Class E) to a single one-bedroom dwellinghouse (Use Class C3).
The site is located within an established residential street where surrounding properties are predominantly in residential use. The proposal will result in a low-intensity residential use and is not expected to generate significant levels of traffic.
The change from office use to a single one-bedroom dwelling is likely to reduce overall trip generation, particularly during peak hours, when compared to the previous commercial use.
The site benefits from existing access arrangements which will remain unchanged. No alterations to the access or surrounding highway network are proposed, and the existing arrangements are considered suitable for the proposed residential use.
The property benefits from off-street parking for one vehicle, which will accommodate the likely parking demand associated with a one-bedroom dwelling. This further reduces any reliance on on-street parking and ensures there is no material increase in parking pressure within the surrounding area.
The site is also located within reasonable proximity to local services and public transport, supporting sustainable travel options.
Overall, the proposal will not have an adverse impact on highway safety or the operation of the local highway network.

Please provide details of any contamination risks and how these will be mitigated

The application site relates to an existing building currently in use as a commercial office (Use Class E), located within an established residential area.
The previous and existing use of the site as an office is not typically associated with activities that would give rise to land contamination. There is no known history of industrial or contaminative uses on the site, and therefore the risk of contamination is considered to be low.
The proposed development involves a change of use only, with no significant groundworks or excavation proposed that would disturb the underlying land.
Overall, the proposal does not present any significant contamination risks to future occupants or the surrounding environment.

Please provide details of any flooding risks and how these will be mitigated.

The application site is not located within an area identified as being at risk of flooding and is understood to fall within Flood Zone 1 (low probability of flooding).
The proposed development involves a change of use only, with no significant alterations to ground levels or built form that would increase flood risk on or off site.
As such, the proposal is not considered to be at risk of flooding, nor will it increase flood risk elsewhere.

A flood risk assessment should accompany the application where the site:
• is in Flood Zones 2 or 3; or
• is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).

Check if your site location is in Flood Zone 2 or 3 online

Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

Please provide details of the impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses and how these will be mitigated

The application site is located within a predominantly residential area, with surrounding uses largely comprising residential dwellings. There are no significant nearby commercial or industrial premises that would give rise to harmful noise impacts.
The existing use of the building as a commercial office (Use Class E) is not typically associated with high levels of noise generation, and the surrounding environment is considered to be compatible with residential use.
The proposed change of use to a single one-bedroom dwellinghouse (Use Class C3) is therefore not expected to expose future occupants to unacceptable levels of noise.
Should any minor external noise sources be present, the building will provide a suitable level of internal sound insulation consistent with typical residential standards.
Overall, the proposal is considered acceptable in terms of noise and will provide a suitable living environment for future occupants.

If the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor. Please provide details of the impacts that the change of use will have on the character or sustainability of the conservation area and how these will be mitigated

The application site is located within the Shepley Village Conservation Area and comprises an existing building that is consistent in character, scale and appearance with surrounding residential properties, forming part of the established historic streetscape.
The proposed development relates to a change of use from commercial office (Use Class E) to a single one-bedroom dwellinghouse (Use Class C3). No external alterations to the building are proposed as part of this application, and the existing appearance, materials and architectural features will be retained.
The change of use will introduce a residential function that is in keeping with the prevailing character of the surrounding area. As such, the proposal is considered to preserve and reinforce the residential nature and historic character of the conservation area.
The proposal will not result in any harm to the significance, character or appearance of the conservation area, and no mitigation measures are considered necessary.

If the building is located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.
Please provide details of the impacts on intended occupiers of the development of the introduction of residential use in the area and how these will be mitigated

The application site is not located within an area characterised by general or heavy industry, waste management, storage or distribution uses.
The surrounding area is predominantly residential in nature.
As such, the introduction of a single one-bedroom dwellinghouse (Use Class C3) is considered to be entirely compatible with the existing character of the area and will not give rise to any adverse impacts on the intended occupiers.
No mitigation measures are therefore required.

If the proposal involves the loss of services provided by a registered nursery, or a health centre. Please provide details of the impacts on the local provision of the type of services lost and how these will be mitigated

The application site is not currently in use as a registered nursery, health centre, or any form of community service facility.
The proposal therefore does not result in the loss of any such services, and there will be no impact on local provision.
No mitigation measures are required.

List of flats and other premises in the existing building

Please provide a list of all addresses of any flats and any other premises within the existing building

House name:
85b

Number:

Suffix:

Address line 1:
Marsh Lane

Address Line 2:

Town/City:
Huddersfield

Postcode:
HD8 8AP

Declaration

I/We hereby apply for Prior Approval: Change of use – commercial/business/service to dwellinghouses as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Joan Newton

Date

19/04/2026