

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:	2026/62/91349/W
Site Address:	23, High Street, Scapegoat Hill, Huddersfield, HD7 4NJ
Description:	Alterations to convert offices to 2 flats
Recommending Officer:	Joshua Merriman

DECISION – Full Conditional Permission

I hereby authorise the approval of 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: 27-JUL-2026

Officer Report – 2026/91349

Site Description

The application site refers to 23, High Street, Scapegoat Hill, Huddersfield, HD7 4NJ, a two-storey terraced property faced in stone, with a flat roof, and uPVC windows and doors. The property is currently used for offices and lies in a slightly mixed street scene containing properties of a similar size and scale, with differing uses which are mostly residential. Furthermore, the property benefits from a courtyard to the rear.

Description of Proposal

The Scheme

The application is seeking planning permission for alterations to convert offices to 2 flats.

It should be noted that the property has previously had a residential use and is being reverted to such.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

- Climate Change Statement
- Design and Access Statement

History of Negotiations / Amendments Received

No amendments have been requested by Officers.

Relevant Planning History

The most relevant planning history relates to the following planning applications

89/03680 - Change of use and alterations to convert part of existing shop to dwelling – Granted Conditionally.

97/93463 - Change of use and external alterations to ground floor shop and flat to one flat – Conditional Full Permission.

2012/93877 - Change of use of residential flat to offices – Conditional Full Permission

2013/91095 - Discharge of condition no. 5 on previous planning permission no. 2012/93877 for change of use of residential flat to offices – Discharge of Conditions Approved.

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (July 2024).

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 03/07/2026.

Two letters of representation have been received, one in support and one as a general comment.

General comments:

- The property is located it sits on a busy junction with high volumes of traffic along with heavy good vehicles visiting the farm and high volumes of farm traffic There is just no space for a potentially 4 more vehicles to be parked on the highway

Support comments:

- It is a great use of a building that has had a difficult life since it was a Co-Op. The creation of two flats is an ideal use of the space and property and the proposed designs complement the building extremely well.

Consultation Responses

KC Highways Development Management – No objections.

Allocation and Policy

The site is unallocated within the Kirklees Local Plan (adopted 2019).

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

LP1 Achieving Sustainable Development
LP2 Place Shaping
LP7 Efficient and effective use of land and buildings
LP11 Housing Mix and Affordable Housing
LP21 Highway and Access
LP22 Parking
LP24 Design

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, 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.

Chapter2	Achieving sustainable development
Chapter12	Achieving well-designed places
Chapter14	Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)
Housebuilders Design Guide SPD (adopted June 2021)
The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.

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

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area (including impact upon historic environment)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Representations
6. Conclusion

1 – Principle of Development

NPPF Paragraph 11 and LP1 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.

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

The dimensions of sustainable development will be considered throughout the proposal.

The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).

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.

Given the above, it is considered that the proposal would constitute sustainable development, and will be assessed further in the following sections of this report.

2 – Impact on character and appearance of the area

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *‘the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape’*.

Principle 1 of the Housebuilders Design Guide SPD states:

“Developers are expected to draw upon the range of tools available to help secure high-quality design for residential development, from the outset of the development process. Developers should work closely with the Council and use the most appropriate tools to secure high-quality design.”

Principle 14 of the Kirklees Housebuilders Design Guide SPD notes that the design of openings is expected to relate well to the street frontage and neighbouring properties.

Visually, there will be no changes to the properties frontage, with all existing doors and windows in the front elevation to be retained and used as current. All changes to the property will be towards the rear in the form of changes to window openings and the demolition of an existing WC block at the rear of the site. As these changes will not be visible from surrounding areas, it is considered that there will be no significant impact upon visual amenity.

It is therefore considered that the proposed development would be acceptable from a visual amenity perspective, in accordance with Policies LP1, LP2, and LP24 of the Kirklees Local Plan, and Principles 1 and 14 of the Housebuilders Design Guide SPD.

3. Impact on Residential Amenity

Sections 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.”

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.

Principle 6 of the Housebuilder Design Guide SPD states:

“Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.”

Principle 17 of the Housebuilders SPD states the following:

“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.”

With regard to Principle 16 of the Housebuilders SPD and the technical housing standards of the NDSS which outline that 2-bedroom flats for 3 persons (Flat 2) requires a total floorspace of 70m², and a 1-bedroom flat for 1 person (Flat 1) requires a total floorspace of 39m². This is not considered an issue for either flat, as the total floor space of the properties would be 78m² and 42m², respectively.

Furthermore, with regard to amenity space for both flats, due to their limited scale it is considered that the small area of amenity space assigned to each flat in the rear courtyard is an acceptable amount, furthermore, as they are only designed for a maximum of one and three occupants it is deemed that the amenity space provided will be adequate for this number of residents.

All living rooms, bedrooms, and kitchens are considered to receive an adequate amount of light and are serviced by acceptable openings to ensure a good standard of amenity for users. Furthermore, the use of opaque glazing to the bathroom and single bedroom in Flat 2 means there will be no overlooking into the rear yard space assigned to Flat 1.

Having considered the above factors, the development proposed would have an acceptable impact upon the residential amenity of the neighbouring occupants and habiting occupants, and would comply with Policy LP24 of the Kirklees Local Plan, Paragraph 135 of the National Planning Policy Framework, and policies within the Technical Housing Standards.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF 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 12 of the Housebuilders Design Guide SPD which seek to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

Following a formal consultation with KC Highways Development Management, the following comments were received:

“Access is retained from the High Street with no on-site car parking available.

On-street car parking demands are likely to be less than existing office which employed up to nine people. Up to three spaces typical of the residential properties on following the advice in the Kirklees Highway Design Guide SPD of one space for the intended one bedroomed unit and two spaces for the two bedroomed unit. The parking for the adjacent dwellings and upper floor flat are to be retained, and where on-street parking is available it is provided on a first come first served basis with no right to park outside a specific property.

No cycle parking is indicated. The yards provide an option for an enclosed and secure storage for each unit if access is available. There appears to be a right of way, but this may not be available on a regular basis given it is for maintenance purposes and there would need to pass through the adjacent property as well as passage through the existing yard to reach proposed second yard.

Bin storage is shown within the 2m curtilage in advance of the building line which is acceptable from the highway perspective since this area falls outside of the extent of the public road, assuming clearance of any retained or new meters and the post box. Yet, there could be negative impact on the streetscene.

The proposal does not raise significant issues for road safety or network functionality to meet policy LP21. Movements associated with the proposed residential use are likely to be less than for the office of nine people albeit patterns of movements may become less peaky at start and end of a traditional weekday and greater weekend use.

Accordingly, no objection is raised.”

Given that the intensification of use will be lower than the current office arrangements, parking provision is considered to be adequate on site with a nearby range of on-street parking which previously serviced up to 9 office workers. It is noted that a comment has been received that the previous owners of the office didn't utilise a vehicle, with only one member of staff driving to work, not the 8 employees as stated in the application, it must be considered that the previous office use was acceptable on the basis of this upper limit. To refuse on this basis could not be justified nor would it be reasonable.

Principle 19 of the Council's adopted House Extensions & Alterations Supplementary Planning Document (SPD) requires the provision for waste storage and recycling must be incorporated into the design of new developments in such a way that it is convenient for both collection and use whilst having minimal visual impact on the development.

The submitted plans detail waste storage arrangements for both proposed flats, with these plans considered to be acceptable with regard to waste storage.

In view of the above, subject to condition, it is considered that the proposal would not cause detrimental harm to highway safety, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, Principle 12 of the Housebuilders Design Guide SPD, and guidance within the Council's Highways Design Guide SPD.

5. 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 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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

6. Representations

General comments:

- The property is located it sits on a busy junction with high volumes of traffic along with heavy good vehicles visiting the farm and high volumes of farm traffic There is just no space for a potentially 4 more vehicles to be parked on the highway.
- The previous owners of the office didn't come to work in there vehicle as the family lived just down the road and walked to work with only one member of staff driving to work not the 8 employees as stated in the application

Officer Comment: This matter is addressed in the above officer report under section 4 Impact on Highway Safety.

Support comments:

- It is a great use of a building that has had a difficult life since it was a Co-Op. The creation of two flats is an ideal use of the space and property and the proposed designs complement the building extremely well.

Officer Comment: Noted.

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, the proposed development would constitute sustainable development and is therefore recommended for approval.

**Recommendation
PERMISSION**

CONDITIONAL FULL

Decision Authorisation: Delegated Powers

Application Number: 2026/91349

Officer Recommendation: Conditional Full Permission

Conditions

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 (as amended).

1. 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 to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

2. The proposed '1 bed/1 person' flat annotated upon submitted drawing '23HS/P02' shall have no more than one bedroom with space for one persons and the proposed '2 bed/3 person' flat upon the aforementioned drawing shall have no more than two bedrooms with space for 3 persons.

Reason: In the interests of ensuring a high standard of amenity for the future occupiers of the development hereby approved to accord with Policy LP24 of the Kirklees Local Plan, Principle 16 of the Housebuilders Design Guide SPD and the policies contained within Chapter 12 of the National Planning Policy Framework.

NOTE: Noisy construction related activities shall not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays

NOTE Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE The applicant is reminded that Kirklees Council has powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including odours and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing Plans and Elevations	23HS/P01	-	01/06/2026
Proposed Plans and Elevations	23HS/P02	-	01/06/2026
Application Form	-	-	01/06/2026
Climate Change Statement	-	-	01/06/2026
Design and Access Statement	-	-	01/06/2026

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 sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

06/07/2026

