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:	**2026/62/91407/W**
Site Address:	7, Halifax Road, Edgerton, Huddersfield, HD3 3AN
Description:	Change of use and alteration of former Class E(e) clinic to form 7 Class C2 assisted living units with staff facilities, including removal of existing conservatory, fire escapes and doors (Listed Building within a Conservation Area)
Recommending Officer:	Danielle Cooper

DECISION – CONDITIONAL FULL APPROVAL

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.

Emma Thompson

AUTHORISED OFFICER

Date: 31-Jul-26

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Officer Report – 2026/91407

7, Halifax Road, Edgerton, Huddersfield, HD3 3AN

Site Description

The application site, Cote Royd House, located at 7 Halifax Road, Huddersfield. Cote Royd is a stone built, late Victorian former villa which is located in a generous plot, set back from the highway behind mature trees. On site parking is located to the side of the building.

The host building is grade 2 listed and is located within Edgerton conservation area.

Within the wider site, a residential building is located to the rear of the host building, along with a dentist located to the south west.

The area is predominantly residential in character, with a nursery located to the south.

Description of Proposal

The Scheme

The application seeks planning permission to change the use and alteration of the former Class E(e) clinic to form 7 Class C2 assisted living units with staff facilities, including removal of existing conservatory, fire escapes and doors (Listed Building within a Conservation Area).

The proposal is to convert the building to 7 assisted living units with staff facilities.

Ground Floor:

Apartment 1: 1 bedroom = 79.02m2
Apartment 2: 1 bedroom = 69.53m2
Apartment 3: 1 bedroom = 72.71m2
Senior Hub and Medication Room.

First Floor:

Apartment 4: 1 bedroom = 67.43m2
Apartment 5: 1 bedroom = 54.43m2
Apartment 6: 1 bedroom = 60.98m2
Apartment 7: 1 bedroom = 63.82m2

Second Floor:

Staff Room
Meeting Room
2x office space
Shower room

External Alterations:

Removal of the modern conservatory
Replacement opening from the at ground floor for an external door
removal of redundant metal fire escapes and doors

Internal Alterations:

Installation of partition walls
Blocking up existing openings internally

Cycle parking to the rear of the building
Bin storage to the rear of the building
18 car parking spaces to be provided within the hardstanding
Amenity space provided to the front of the building

History of Negotiations / Amendments Received

The agent was asked to provide a statement to address policy LP48 which relates to the loss of a community facility.

Relevant Planning History

2026/91408 - Listed Building Consent for change of use and alteration of former Class E(e) clinic to form 7 Class C2 assisted living units with staff facilities, including removal of existing conservatory, fire escapes and doors (within a Conservation Area) – Accompanying application

2015/91153 - Listed Building Consent for alterations and demolition to existing dental clinic– Granted 3/7/15

2015/91154 Alterations to convert existing dental clinic into 7 apartments – Approved 3/7/15.

2015/91157 LBC for erection of 2 storey extension to stable block – Undetermined

2009/90163 Discharge of condition 3 on previous premission2008/65/93662/W2 for Listed Building Consent for demolition of conservatory and erection of replacement conservatory (Within A Conservation Area) – Approved

2008/93661 Erection of conservatory – Approved

2008/93662 LBC for demolition of conservatory and erection of replacement conservatory – Granted

2005/91233 Change of use of attic to form residential accommodation – Approved

2002/94170 LBC for alterations to form disabled toilet. internal alterations to form internal doorway and new glazed screen forming lobby (within a conservation area)

2002/92684 Change of use of existing offices to integrated health and dental practice – Approved

94/91673 Change of use from hotel to class b1 business use (listed building) – Approved

90/06829 Variation of conditions no.2 restricting opening hours to the general public on previous permission (87/62/00600/b2) for change of use of restaurant ancillary to hotel, to hotel with restaurant open to general public – Approved

90/04691 Listed building consent for removal of asbestos roof and reroofing in blue slate and formation upper floor staff accommodation – Approved

90/02520 Listed building consent for internal refurbishment and infilling of window openings – Approved

90/04690 Change of use of first floor of existing out-buildings to form staff accommodation including structural alterations and reroofing – Approved

88/01702 Erection of conservatory (Listed Building within Conservation Area) – Approved

88/01704 Listed Building Consent for erection of conservatory – approved

87/00600 Change of use of restaurant ancillary to hotel to hotel with restaurant open to general public – approved

Representations

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

The application has been publicised as "development affecting a public right of way" and "development affecting the setting of a Listed Building" through the Council's website, site notice and press notice. The expiry date of the publicity period was 10th July 2026.

No representations have been received.

Consultation Responses

The following consultations have been undertaken for this application with the summarised responses listed below.

KC Highways Development Management - No objection.

KC Conservation Team – No objection subject to conditions

KC Ecology Team - No objection subject to conditions.

KC Tree Officer - No objection.

KC Environmental Health – No objection subject to conditions.

West Yorkshire Police Designing Out Crime – No objection.

The responses of the above consultees are discussed in greater length within the 'Assessment' section of this report.

Allocation and Policy

The site is unallocated within Edgerton Conservation Area

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
LP3 Location of new development
LP7 Efficient and effective use of land and buildings
LP11 Housing Mix and Affordable Housing
LP20 Sustainable travel
LP21 Highway and Access
LP22 Parking
LP23 Core Walking and Cycling Network
LP24 Design
LP26 Renewable and low carbon energy
LP28 Drainage
LP30 Biodiversity and Geodiversity
LP32 Landscape
LP33 Trees
LP35 Historic Environment
LP47 Healthy, Active, and Safe Lifestyles
LP48 Community Facilities and Services

LP51 Protection and Improvement of Local Air Quality
LP52 Protection and Improvement of Environmental Quality
LP53 Contaminated and Unstable land

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

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

Chapter 2 Achieving sustainable development
Chapter 5 Delivery a sufficient supply of homes
Chapter 8 Promoting healthy and safe communities
Chapter 9 Promoting sustainable transport
Chapter 11 Making effective use of land
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
Chapter 16 Conserving and enhancing the historic environment

Supplementary Planning Documents and 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).
Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
The Planning and Compulsory Purchase Act 2004.
Section 17 of the Crime and Disorder Act 1998 (as amended)
Wildlife and Countryside Act 1981 (as amended)
The Conservation of Habitats and Species Regulations 2017
Environment Act 2021
Town and Country Planning (Tree Preservation) (England) Regulations 2012

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
2. Visual amenity and heritage considerations
3. Residential Amenity
4. Highway Safety
5. Ecology, climate change and Trees
6. Pollution Control
7. Safety and crime
9. Representations
10. Conclusion

1. Principle of Development

1.1 Sustainable 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.

Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted.

The existing building is a grade II Listed building and located within Edgerton Conservation Area. The heritage implications of this will be assessed in detail within the “Impact upon the character, appearance and heritage significance of the area” section of this report.

1.2 Loss of a community facility

Policy LP48 of the Kirklees Local Plan seeks to resist the loss of community facilities, including facilities of value to the local community.

It is acknowledged that the agent has submitted a statement confirming that the premises attracted no interest for retention within its current Use Class E and that the existing use does not constitute a community facility. However, the Local Planning Authority considers the existing psychological clinic to be a community asset, given the service it provides to the local population.

The proposal would result in the loss of this existing community facility, albeit one operating on a private basis, and its replacement with seven assisted living units and associated staff facilities. The Kirklees Specialist Accommodation Strategy identifies a need for this type of specialist accommodation and support provision. Consequently, it is considered that the development would deliver a valuable community benefit to residents of Kirklees by meeting an identified housing and care need. As such, the proposal is considered to accord with Policy LP48 of the Kirklees Local Plan.

1.3 Housing Need

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 LP3 of the Kirklees Local Plan is also of relevance insofar as it requires development to deliver homes in a sustainable way.

Policy LP7 of the Kirklees Local Plan supports the efficient and effective use of land and buildings including the re-use of previously developed land, underused properties, priority to despoiled, degraded, derelict and contaminated land, particularly in a sustainable location and if it is not of high environmental value.

The proposal involves the conversation of a Grade II listed building to provide 7 assisted living residential units. The development represents the re-use of existing built form and is considered acceptable in principle, subject to there being no unacceptable impacts in terms of parking, highway safety, residential amenity, heritage significance and other material planning considerations.

The provision of additional housing carries positive weight in the planning balance, particularly in light of the Councils current position regarding its five-year housing land supply. On this basis, the principle of the development is acceptable, subject to the detailed matters considered in the remainder of this report.

2. Visual amenity and heritage considerations

Paragraph 205 of the NPPF states that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 207 goes on to state that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal includes the following internal and external alterations:

Internal Alterations:

- Installation of partition walls
- Blocking up existing openings internally

External Alterations:

- Removal of the modern conservatory
- Replacement opening from the at ground floor for an external door
- removal of redundant metal fire escapes and doors

Given the sensitive nature of the heritage asset, KC Conservation and Design have reviewed the proposal and have not objected to the application subject to conditions which will be discussed further within this assessment.

External works:

- Rear door to be reinstated and made good, or replaced if repair is not feasible.
- Side double doors to be retained and repaired, with new locks. This entrance will be sealed from within with insulated stud walling, to suite the internal layout but retain the original structure and doors.

- Re-glazing two side windows to provide obscure glazing for privacy purposes, up to 1500mm

Internal works:

- Several modern internal walls will be removed across all floors.
- New stud walls to be installed to allow conversion

Given the sensitive nature of the heritage asset, KC Conservation and Design have reviewed the proposal on the accompanying listed building application and have not raised any objections. Their comments will be discussed below:

The fire escape is functional, and its removal will enhance the character and appearance of the listed building.

The existing conservatory is a later 20th Century addition is not considered to make a positive contribution to the listed building. As such the removal of it will likely enhance the appearance of the building provided that it can be removed without damaging the stone work and historic details. As such, it is considered necessary to condition that a demolition methodology statement is submitted to the Local Planning Authority to ensure Methods of remediation of the flashing junction of the conservatory are obtained in the interests of protecting the appearance of the listed building. The design of the proposed external door where the conservatory is to be removed will be required to be submitted via condition. This will include elevations at a scale of 1:20 and joinery sections at a scale of 1:5. The recommended conditions as mentioned will be conditioned.

Part of the proposal is to block up existing internal openings. KC Conservation and Design have requested that prior to the blocking up of any existing internal door openings, details of the proposed treatment of each opening shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate how the historic legibility of the original doorway will be retained, including the recessing of infill panels behind the door frame and the retention of the appearance of the door when viewed from the associated rooms and circulation spaces. The recommended condition will be conditioned via the accompanying listed building application

No details have been provided in regard to the installation of internal partition walls. As such, it is considered necessary for sectional drawings to be submitted which show the precise location of the partition walls and their junctions with existing floors, walls, ceilings, skirtings, cornices and any other historic fabric to be submitted to the Local Planning Authority via condition. The details are required to ensure the installation of the partition walls are minimal and avoid unnecessary harm to the historic fabric of the listed building. The recommended condition will be conditioned via the accompanying listed building application

Details regarding proposals for any new drainage pipes, soil vent pipes, ventilation extraction, flues or other new interventions have not been included and as such this detail will be requested to be provided by condition.

Overall, the proposed development is considered to result in a less than substantial impact on the significance of the Grade II listed building, and would contribute to securing long term viable use of the heritage asset. This harm is clearly outweighed by the public benefits of the scheme, including the delivery of additional housing and the continued use and maintenance of the listed building, in accordance with paragraph 215 of the NPPF and Policy LP35 of the Kirklees Local Plan. The resultant building would be of an appropriate design and appearance meeting the aims of Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

3. Impact on Residential Amenity

Policy LP24 of the Kirklees Local Plan requires all development to provide a high standard of amenity for future and neighbouring occupiers. This includes appropriate levels of privacy, light, outdoor space and internal living conditions. The policy also seeks to ensure that development retains appropriate distances between buildings to avoid harmful impacts such as overshadowing and loss of privacy to neighbouring properties.

Further to this, Paragraph 130 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.

Residential Amenity – Future Occupants

The proposed overall floorspace of each apartment is as follows:

Ground Floor:

Apartment 1: 1 bedroom = 79.02m2
Apartment 2: 1 bedroom = 69.53m2
Apartment 3: 1 bedroom = 72.71m2

First Floor:

Apartment 4: 1 bedroom = 67.43m2
Apartment 5: 1 bedroom = 54.43m2
Apartment 6: 1 bedroom = 60.98m2
Apartment 7: 1 bedroom = 63.82m2

The gross internal floor areas meet the required nationally described space standards and therefore are considered acceptable, featuring ample amount of living area space. Sufficient shared amenity space to the front of the building for the use of future occupants which is considered acceptable.

Staff facilities are integrated into the layout at ground and second floor level. These elements are considered proportionate to the scale and function of the

supported living scheme and play an ancillary role to the buildings primary use as residential.

KC Environmental Health have reviewed the proposed development and have stated that the site occupies a roadside position on the busy A629 Halifax/Edgerton Road. The site will experience transportation noise associated with its location as well as noise from the neighbouring school, potentially including any associated fixed external plant. As such, KC Environmental Health have recommended that a Noise Assessment Report and Mitigation Scheme should be submitted to the Local Planning Authority along with a ventilation scheme for rooms where windows need to be kept closed to prevent excessive noise levels. This will be conditioned as such to ensure future occupants do not suffer from noise disturbance.

Taking the above into account the proposal is considered to provide a high standard of internal accommodation, with good access ability an immunity for future residents and appropriate provision for staff. The scheme is therefore compliant with the requirements of Policy LP24(b) and (d) of the Kirklees Local Plan in this respect.

Residential Amenity (Impact on neighbouring properties)

Principle 6 of the Kirklees Housebuilders Design Guide SPD, states that residential layout must ensure adequate privacy and maintain high standards of residential amenity to avoid negative impacts on light, outlook and avoid overlooking. For two storey houses, this SPD recommends minimum separation distances of:

- 21 metres between facing windows of habitable rooms at the back of dwellings
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room.
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land

No extensions to the building are proposed, with the development limited to the insertion of a single external door. As such, the proposal would not result in any overbearing impact or loss of light through overshadowing to neighbouring properties.

The nearest residential property to the application site is The Bungalow, located to the rear of the host building at a distance of approximately 27 metres. A substantial mature hedge is situated between the two properties, providing effective screening. Consequently, the proposal would not give rise to any unacceptable overlooking or loss of privacy.

Given the orientation of the host building in relation to *The Stables*, a commercial building located to the south-west of the site, no harmful impacts relating to privacy are anticipated.

Furthermore, mature trees along the site boundaries provide additional screening, and therefore no further concerns are raised in respect of overlooking or loss of privacy

In this context, the proposal is not considered to result in any material harm to neighbouring amenity and complies with the aims of policy LP24(b) and (c) of the Kirklees Local Plan.

4. Impact on Highway Safety

Policy LP21 of the Kirklees Local Plan requires development to provide safe, convenient, and efficient access for all users, including pedestrians, cyclists, public transport users and vehicles. Proposals must not result in an unacceptable impact on the highway network.

Policy LP22 sets out parking requirements stating that developments should provide appropriate provision for vehicles in accordance with the Council's adopted parking standards. This includes on-site parking for residents and visitors, as well as provision of servicing and deliveries where relevant.

These policies are underpinned by Chapter 9 of the NPPF which requires that development proposals ensure safe and suitable access for all users, mitigate any significant impacts on the transport network, and provide adequate opportunities for sustainable travel.

KC Highways have reviewed the proposal and have provided the following comments:

The proposed conversion from a clinic to seven assisted living units with staff facilities retains access, circulation, 18 car parking spaces, including two accessible bays, and three enclosed cycle parking spaces plus space for bin storage. There are to be 18 staff Full Time Employees.

There is space for service vehicles and for an ambulance to access and turnaround facilitating forward gear entry and exit.

The amount of car parking including accessible bays is expected to remain adequate given the nature of the residential accommodation, number of staff working shifts and its similarity to the current use as a clinic and a lapsed consent for seven apartments 2015/91154. It is also noted that the proposed movements are likely to be similar or less than the existing use and not cause material issues for road safety or network functionality to meet policy LP21.

It is noted that the current cycle parking is low for the number of staff but could be added too if there is a greater take-up and as such it is not considered necessary for additional cycle spaces to be shown.

No EV charging points are proposed on plan, KC Environmental Health and the Highway officer have requested that EV charging points should be

installed. As such a condition will be imposed to ensure a scheme showing 2 to 3 spaces having EV points.

Waste storage is expected to be to the rear of the site which is acceptable. Details of the location of the bin collection presentation place will need to be provided to ensure the site is accessible and the bins will not obstruct either the road or footway for highway safety reasons

Given the above, the proposal is considered acceptable in highway safety and operation terms and is compliant with Policy LP21 and LP22 of the Kirklees Local Plan, the Kirklees Highways Design Guide SPD and Chapter 9 of the NPFF.

5. Ecology, climate change and Trees

Ecology

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The development is considered to benefit from the de-minimis exemption as set out by The Biodiversity Gain Requirements (Exemptions) Regulations 2024 and there is no required for BNG to be provided in respect of the aforementioned legislation.

However, the following policies are relevant:

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

The Biodiversity Net Gain Technical Advice Note sets out that minor developments are subject to the mitigation hierarchy outlined within Chapter 2.2 and will still be required to demonstrate a net gain for biodiversity. Chapter 2.2 of the advice note details a mitigation hierarchy of avoid, mitigate, compensate, offset and finally enhance.
KC Ecology have reviewed the proposal and have stated that there are no ecological concerns in principle. It is however recommended that reasonable enhancements for biodiversity via the provision of bird and bat boxes within the curtilage of the development, along with swift boxes, sparrow terraces, and hedgehog hibernation boxes. This will be conditioned as such.

No external lighting is proposed and therefore raises no concerns. However to protect existing habitats surrounding the site as well as nearby residential properties, an artificial lighting strategy condition will be imposed if the applicant decides to install any external lighting.

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.

A climate change statement has been submitted in support of the application. The statement details how the any new materials will be locally sourced to minimise carbon footprint associated with transportation. The proposal is also to convert the existing building and therefore securing a long term use. This is welcomed and the proposal is not considered to be detrimental to the climate change agenda.

Trees

KC Trees have been reviewed the proposed development and supported information and have stated that as there are no alterations which are proposed to add anything to the exterior of the building, and only the removal of the conservatory and fire escape steps. Neither of these changes will bare any impact on the surrounding trees and therefore there is no objection from KC trees.

6. Pollution Control

Chapter 15 of the NPPF promotes safe and healthy living environments and requires that land contamination and other environmental constraints are considered and mitigated as part of the planning process.

Policies LP51 and LP53 of the Kirklees Local Plan seek to ensure that development does not cause, or result in exposure to, pollution or environmental risks that would be harmful to human health or the environment. These policies require developments to be appropriately assessed and, where necessary, remediated to ensure that sites are suitable for their intended use.

The site is located within a 250m historic landfill buffer. The applicant has submitted a Phase One Desk Study Report, Ref: NE-26-149, dated April 2026, prepared by Solmek Ltd which has been reviewed by KC Environmental Health and consider the report acceptable, concluding that a phase 2 site investigation is not necessary. A condition relating to the reporting of unexpected land contaminations will be imposed.

KC Environmental Health have recommended that a condition should be imposed to ensure a strategy is submitted detailing intended placement of materials being imported to the site is submitted the Local Planning Authority. However given the minor scale of external alterations proposed to the building, it is not considered necessary for such a condition to be imposed.

The site lies within a defined Development Low Risk Area for coal mining which raises no concern.

Subject to conditions, the development is considered acceptable in relation to contaminated land risk and environmental protection and would comply with Policies LP51 and LP53 of the Kirklees Local Plan and Chapter 15 of the NPPF.

7. Safety and Security

Policy LP24(e) of the Kirklees Local Plan seeks to minimis the risk of crime by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-design security features.

Policy LP47 promotes healthy, active and safe lifestyles, supporting development that contributes to creating safe environments and reduces opportunities for crime and anti-social behaviour.

Paragraphs 96 and 135 of the NPPF encourages planning decisions to achieve healthy, inclusive and safe places which (b), are safe and accessible, so that crime and disorder, and the fear of crimes, do not undermine the quality of life or community cohesion.

The West Yorkshire Police Designing Out Crime Officer (DOCO) was consulted on this application and have raised no objections. They have however stated that the applicant should consider and implement the advice contained within their response. This includes the following:

Risks of not considering security at an early stage:
1. Inadequate protection
2. Increased risk
3. Wasted resources due to theft/ damage/ antisocial behaviour, etc.
4. Delay, disruption and cost caused by retrofitting security measures post attack/
incident.
5. Reputational damage.

The proposal is therefore considered acceptable, and the applicant is to be made aware of the above advice to ensure the proposal is safe.

8. Representations

No representations have been submitted.

9. 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 APPROVE

Decision Authorisation: Delegated Powers

Application Number: 2026/91407
Officer Recommendation: APPROVE
Conditions

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: To ensure compliance with 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 Policies LP1, LP2, LP3, LP7, LP11, LP20, LP21, LP22, LP23, LP24, LP26, LP28, LP30, LP32, LP33, LP35, LP48, LP47, LP51, LP52 and LP53, of the Kirklees Local Plan, Chapters 2, 4, 5, 8, 9,11, 12, 14 and 15 of the National Planning Policy Framework, and Principles 2, 5, 6, 9, 12, 13, 14, 15, 16, 17, 18 and 19 of the Housebuilders Design Guide SPD.

3. The development hereby approved shall be used solely as supporting living accommodation falling with Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose, including any other use within Class C2, without prior written consent of the Local Planning Authority.
Reason: In the interests of securing the specialist nature of the accommodation and to ensure appropriate future use of the site in accordance with Policy LP24 of the Kirklees Local Plan.

4. No works to remove the existing conservatory shall commence until a detailed Demolition Methodology Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include:
a) details of the method of dismantling and removal of the conservatory;

b) measures to ensure that the removal works do not damage the historic stonework, architectural features, or fabric of the listed building;
c) details of the treatment, repair and making-good of all areas exposed following the removal of the conservatory, including the remediation of flashing junctions and any associated repairs to the external wall;
d) details of materials and techniques to be used in any repair works.
The approved works shall thereafter be carried out in full accordance with the approved methodology.
Reason: To safeguard the special architectural and historic interest of the listed building and to accord with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

5. Notwithstanding the submitted details, no works relating to the installation of the proposed external ground floor door in the location of the removed conservatory shall commence until detailed drawings have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
a) elevations of the proposed door at a scale of 1:20; and
b) joinery sections, profiles and moulding details at a scale of 1:5.
The door shall be constructed and installed in accordance with the approved details and retained thereafter.
Reason: To safeguard the special architectural and historic interest of the listed building and to accord with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

6. Prior to the installation of any drainage pipes, soil vent pipes, ventilation extraction, flues or other new interventions be proposed, full details, including drawings and specifications, shall be submitted to the Local Planning Authority for approval.
Reason: To protect the historic fabric of the Listed Building and to accord with Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

7. The development shall not be brought into use until all areas to be hard surfaced for access and parking have been and laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or any successor guidance. These areas shall be so retained, free of obstructions and available for access and parking.
Reason: In the interests of visual amenity, highway safety and to mitigate flood risk. To accord with Policies LP21, LP22, LP24 and LP28 of the Kirklees Local Plan and Chapters 9 and 14 of the National Planning Policy Framework 2024.

8. Prior to the first occupation of the development, details of a bin collection point for use on collection days shall be submitted to and approved in writing by the Local Planning Authority. The approved bin collection point shall be provided before any dwelling is brought into use and shall thereafter be retained free of obstruction for its intended purpose.

Reason: To ensure appropriate refuse storage and collection arrangements are in place in the interest of visual amenity, residential amenity and highway safety, in accordance with Policies LP21, LP24 and LP52 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework 2024.

9. Before construction work commences a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development including road traffic and commercial farmyard noise shall be submitted to and approved in writing by the Local Planning Authority. The report shall:

a) Determine the existing noise climate
b) Predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time)
and other habitable rooms of the development
c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.
Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

10. Before construction work commences, a ventilation scheme for rooms where windows need to be kept closed to prevent excessive noise levels shall be submitted to and approved in writing by the Local Planning Authority. The ventilation scheme shall provide the following information:

- Identify which rooms of which plots referenced back to the approved Noise Assessment require a ventilation system
- The acoustic specification of the proposed ventilation system demonstrating that when operated it will not cause indoor noise target levels to be exceeded
- The ventilation scheme must demonstrate that the air intake is located away from the sources of noise and/or poor air quality.

All works which form part of the approved scheme for each plot shall be completed prior to occupation of the aforementioned plots and retained thereafter.
Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

11. Before first occupation, a scheme outlining the specific facilities for charging electric vehicles and other ultra-low emission vehicles for each parking space at the premises must be submitted to and approved in writing

by the Local Planning Authority. This scheme must meet the minimum requirements in the current West Yorkshire Low Emission Strategy (WYLES) document. The approved facilities for charging electric vehicles must be installed before occupation and retained for use thereafter.
Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

12. If contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

13. A Biodiversity Enhancement Management Plan (BEMP) must be provided to the LPA prior to the commencement of above ground works on-site. The content of the BEMP shall include the following.
• Purpose and conservation objectives for the proposed enhancement measures
• Detailed designs to achieve the stated objectives
• Location of the proposed enhancement measures
• Persons responsible for implementing the enhanced measures
• Details of initial aftercare and long-term maintenance.
Reason: In the interests of biodiversity and in accordance with Policy LP30 and Chapter 15 of the National Planning Policy Framework 2024.

14. Prior to the installation of any external lighting, a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), shall be submitted to, and approved in writing by, the Local Planning

Authority. The Sensitive Lighting Strategy will demonstrate that the lighting will not impact upon ecological networks and/or sensitive features. External lighting shall be installed in accordance with the specifications and locations set out within the approved lighting scheme and retained thereafter.
Reason: In the interests of biodiversity and protecting residential amenity and in accordance with Policy LP24 and LP30 and Chapters 12 and 15 of the National Planning Policy Framework 2024.

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost.
Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

NOTE: All works should be timed to occur outside nesting bird season (typically March to August, inclusive). If this is not possible all potential bird nesting opportunities must be checked by a suitably experienced ecologist within 24 hours prior to works. If any active nests are found, the ecologist should advise on suitable species-specific works exclusion zones. The exclusion zones should be regularly monitored by the ecologist and remain in place until the young have fledged the nest or the nests are otherwise deserted.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership, and it is your responsibility to ensure you

have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation. The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.

NOTE: All Noise Assessments should be carried out by a competent person. The applicant may wish to contact the Association of Noise Consultants http://www.association-of-noiseconsultants. co.uk/ (020 8253 4518) or the Institute of Acoustics http://www.ioa.org.uk (0300 999 9675) for a list of members.

NOTE: A ventilation scheme that meets the performance specification given in Part 6 of Schedule 1 of the Noise Insulation Regulations 1975 is likely to be acceptable.
The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location plan	007/LP/001		26/05/2026
Proposed Development Layout	007/001 A		26/05/2026
Proposed Ground Floor Plans	007/013 A		26/05/2026
Proposed First Floor Plans	007/014 A		26/05/2026
Proposed Second Floor Plans	007/015		26/05/2026
Proposed Elevations	007/017 A		26/05/2026
Design and Access Statement			26/05/2026
Planning Supporting Statement			26/05/2026
Heritage Statement			27/05/2026
Climate Change Statement			26/05/2026
Crime & Safety			26/05/2026

Plan Type	Reference	Version	Date Received
Statement			
The Bridge Community Care Operational Statement			27/05/2026
Biodiversity Net Gain Statement			26/05/2026
Arboricultural Impact Assessment	AWA7422		27/05/2026
Phase 1 Desk Study pt1			27/05/2026
Phase 1 Desk Study pt2			26/05/2026
Phase 1 Desk Study pt3			26/05/2026
Phase 1 Desk Study pt4			27/05/2026
Planning Statement			21/07/2026

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. During the course of the application, the agent was asked to provide a statement to address policy LP48 which relates to the loss of a community facility.