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Application number: 2026/CLD/91870/W	
What is the application for?:	Certificate of lawfulness to convert dwelling to residential institution childre
Address of the site or building:	14, Howard Avenue, Lindley, Huddersfield, HD3 3DJ
Postcode:	HD5 8TE

User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	Yes
Representation on Application 2026/CLD/91870/W Application: Lawful Development Certificate for proposed change of use from C3 Dwellinghouse to C2 Residential Institution I wish to object to the granting of a Lawful Development Certificate for the above proposal. My objection is not to the principle of providing accommodation for vulnerable people or elderly residents. I recognise that there is an important need for such facilities. My concern is whether this proposal has demonstrated that a Lawful Development Certificate can properly be granted under the Town and Country Planning Act 1990. 1. Insufficient information to establish that the proposed use is lawful A Lawful Development Certificate should only be granted where the Local Planning Authority is satisfied, on the balance of probability, that the proposed use would be lawful. The application provides only a brief statement that the property will become a "C2 care-home for either elders or foster children/teenagers". It does not adequately describe the actual operation of the proposed use. In particular, the application does not specify: the intended operator; whether the proposal is for elderly care, a children's home, foster care or another form of residential institution; the number of residents; the number of staff; whether staff will be present overnight; shift patterns;	

shift patterns;
visitor arrangements;
operational management.

Without this information, it is difficult to understand the nature and intensity of the proposed use or determine whether it would lawfully fall within Use Class C2.

2. The proposed use has not been clearly defined

The application refers to use for “either elders or foster children/teenagers.”

These are materially different types of residential accommodation with different operational characteristics.

The application therefore fails to identify the precise use for which a Lawful Development Certificate is sought.

The Council should be satisfied about exactly what use is proposed before determining whether it is lawful.

3. Internal layout indicates an operational care facility

The proposed plans introduce facilities including:

Staff Room;
Office / Medical Store.

These are not simply cosmetic alterations but indicate that the property is intended to operate as a managed care establishment rather than as an ordinary dwelling.

The presence of dedicated staff accommodation and medical storage raises questions about the operational nature of the proposal and whether it represents a material change of use requiring planning permission rather than a Lawful Development Certificate.

4. Parking provision appears to be overstated

The application states that the property has three off-road parking spaces.

However, residents with direct knowledge of the property consider that this is not an accurate reflection of the practical parking arrangements.

Although three vehicles may physically fit within the frontage, doing so significantly restricts pedestrian access to the property and leaves insufficient space to use the entrance comfortably and safely.

In practice, only two usable parking spaces are realistically available.

No parking layout, vehicle tracking analysis or dimensional evidence has been submitted to demonstrate that three usable parking spaces exist.

The Council should therefore verify whether the stated parking provision is accurate.

5. Permit-controlled parking area

Howard Avenue is a residents' permit parking area where on-street parking is already controlled.

If the proposal involves staff, managers, healthcare professionals, social workers or visitors, additional vehicle movements may occur.

The application provides no assessment whatsoever of how parking demand generated by the proposed use would be accommodated.

6. Lack of operational information

The application does not explain:

anticipated staffing levels;
frequency of visitors;
deliveries;
refuse arrangements;
emergency vehicle access;
management arrangements.

These matters are relevant when assessing the true nature and scale of the proposed use.

Conclusion

I respectfully request that the Council carefully considers whether sufficient evidence has been provided to demonstrate that the proposed use is lawful.

The application does not clearly define the proposed use, provides very limited operational information and contains unsupported statements regarding parking provision.

If the Council cannot be satisfied that the proposed development is lawful on the information submitted, I respectfully request that the application for a Lawful Development Certificate be refused.

Should the Council conclude that the proposal constitutes a material change of use requiring planning permission, I request that a full planning application be submitted so that the planning merits of the proposal can be properly assessed through the normal planning process.

Thank you for considering these representations.