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**Report of the Head of Planning and Development**

**DISTRICT-WIDE PLANNING COMMITTEE**

**Date: 09-Oct-2025**

**Subject: Planning Application 2025/92092 Change of use from dwelling (use class C3) to residential care home (use class C2) 81, George Avenue, Birkby, Huddersfield, HD2 2BJ**

**APPLICANT**

Mohammad Idriss,  
Always Here Care Ltd

**DATE VALID**

30-Jul-2025

**TARGET DATE**

24-Sep-2025

**EXTENSION EXPIRY DATE**

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Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

**LOCATION PLAN**



**Map not to scale – for identification purposes only**

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**Electoral wards affected: Greenhead**

**Ward Councillors consulted: Yes**

**Public or private: Public**

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**RECOMMENDATION:**

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

**1.0 INTRODUCTION:**

1.1 This application for planning permission is brought to the District-Wide Planning Sub-Committee due to the significant number of representations contrary to the officer recommendation, as per the Council's Scheme of Delegation. Through the publicity process, 19 representations were received, all in objection.

**2.0 SITE AND SURROUNDINGS:**

2.1 The site relates to 81 George Avenue, a two-storey semi-detached property located in Birkby, Huddersfield. The site is unallocated on the Kirklees Local Plan and is situated within a predominantly residential area. The majority of the surrounding dwellings are faced in red brick and are highly varied in terms of size and architectural styles. There are no Listed Buildings or Public Rights of Way (PROW) within immediate proximity to the site. However, the site is located adjacent to the Edgerton Conservation Area.

**3.0 PROPOSAL:**

3.1 The application seeks planning permission for the change of use from a dwelling (use class C3) to a residential care home (use class C2). The care home will accommodate up to two young people at any one time and will be staffed 24/7. The home will operate on a 2:1 staffing ratio, meaning two staff members will be allocated to support each child. Although shift patterns may change, the total number of staff at any given time will be two alongside the manager during working hours.

**4.0 RELEVANT PLANNING HISTORY (including enforcement history):**

4.1 None Applicable.

## **5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):**

5.1 No amendments were sought or received during the course of the application.

## **6.0 PLANNING POLICY:**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27<sup>th</sup> February 2019).

### Kirklees Local Plan (2019):

- 6.2
- LP 1** - Achieving Sustainable Development
  - LP 2** - Place Shaping
  - LP 7** - Efficient and Effective Use of Land and Buildings
  - LP 21** - Highways and Access
  - LP 22** - Parking
  - LP 24** - Design
  - LP 30** - Biodiversity & Geodiversity
  - LP 35** - Historic Environment
  - LP 49** - Educational and Health Care Needs
  - LP 52** - Protection and Improvement of Environmental Quality
  - LP 53** - Contaminated and Unstable Land

### Supplementary Planning Guidance / Documents:

- 6.3
- Highways Design Guide SPD (adopted 4th November 2019)
  - Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)
  - Housebuilders Design Guide (2021)

### National Planning Guidance:

- 6.4 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.
- 6.5 The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Most specifically in this instance, the below chapters are of most relevance:
- **Chapter 2** - Achieving Sustainable Development
  - **Chapter 4** - Decision-Making
  - **Chapter 8** - Promoting Healthy and Safe Communities
  - **Chapter 12** - Achieving Well-Designed Places
  - **Chapter 14** - Meeting the Challenge of Climate, Flooding and Coastal Change
  - **Chapter 15** - Conserving and Enhancing the Natural Environment
  - **Chapter 16** - Conserving and Enhancing the Historic Environment

## **7.0 PUBLIC/LOCAL RESPONSE:**

7.1 The application was publicised by site notice, which expired on 2<sup>nd</sup> September 2025. Nineteen objections were received following the statutory publicity. The representations have been summarised below:

- Increased traffic and parking demands.
- Loss of residential character.
- Pressure on local amenities and services.
- Staff arriving for and leaving shifts, traffic from visitors, deliveries, and ambulances will all create extra noise and disturbance.
- Construction work would affect residents due to the extra unnecessary visual and noise pollution.
- The care home would potentially reduce value of the properties on the street.
- Allowing commercial premises will alter the dynamics of the neighbourhood and could lead to more commercial activity being allowed in the future.
- There is a school on this road, during peak and off-peak times it would increase congestion, this would have a bearing on safety.
- The company 'Always Here Care Limited' (Company Number 15799526) was only incorporated on 24 June 2024. No proven track records of managing children in care and therefore little knowledge how the company would manage a care home supporting vulnerable children.
- If there was a problem with one of the children in care, this might have an effect on the pupils at the school.
- The road is currently too narrow for multiple ambulances and emergency services. This will cause a blockage during emergencies.
- The change of use to a care facility for teenagers with significant emotional, behavioural, or medical needs represents a substantial departure from the existing residential character of the neighbourhood.
- The proposed application of care home is changing the use from residential to business, which is restricted under the covenant.
- The applicant manages another property on the street which has negatively impacted the whole street. The residents' complaints have been ignored and no appropriate measures have been taken to mitigate those impacts.
- Parking around the area is very busy especially around school times and the area is known for being dangerous for pedestrians including children and families, with cars parking on and driving on the pavements.
- There are concerns over the current state of the building and its external appearance. It is unknown how the building will be altered during change of use.
- The street comprises residential family homes and there are no children's care home facilities in the vicinity to my knowledge.
- The care home does not provide in detail how it will manage the parking and traffic issues.
- The staff, manager, visitors and handover or change of shift times could easily have 6-8 staff members in the care home at any one time. Where would they park as the care home has only 2 parking spaces.

- change of use to care facility for teenagers with health, mental and social behavioural problems which could be risk to other residents in area.
- A care home should not be located in a semi-detached house affecting surrounding home owners but a separate property on its own.
- The site is in close proximity to St Patricks School. Concerns have been raised locally about the potential interaction between the proposed use and the pupils, particularly if problems were to arise with children in care.
- While safeguarding and regulation are primarily operational matters, the location next to a school must be a material planning consideration given the heightened sensitivities and risk of conflict with established community uses.

7.2 A petition has also been provided in relation to the planning application. The petition was submitted as a web link within one of the representations. The petition contains 75 signatures in objection to the proposed scheme. The comments made have been summarised below:

- The proposed property is located within a quiet, residential area, primarily composed of family homes. The change of use to a care facility for teenagers with significant emotional, behavioural, or medical needs represents a substantial departure from the existing residential character.
- This type of care home will require not only 24 hour support but also regular visits from a variety of external professionals. The cumulative effect of this increased footfall and traffic presents real and legitimate concerns for the nearby residents.
- The property is located in a narrow residential street with very limited parking and in very close proximity to St Patrick's Catholic Primary School which generates significant traffic and parking issues, especially during school pick up and drop off times. The proposed care home will exacerbate these issues further.
- The care homes children management plan states it will accommodate two young people at a staffing ratio of 2:1 (two staff members to support one child). The expected number of staff and visiting professionals far exceeds what the property or on street parking can reasonably accommodate. This raises potential issues around safety in an already limited parking street.
- The care home will reduce the enjoyment of the property through increased traffic and noise
- We have lived on this street for over 30 years, we chose to live on this street due to the fact that it was quiet and all properties were to be private dwellings. There were restrictive covenants in place that would protect this status. The proposed application of care home is changing the use from residential to business, which is restricted under the covenant.
- The applicant is a landlord and manages another property on the street which has negatively impacted the whole street. The residents' complaints have been ignored and no appropriate measures have been taken to mitigate those impacts.
- We would like to confirm the parking and traffic issues already faced on the street.

## **8.0 CONSULTATION RESPONSES:**

### **8.1 KC Crime Prevention - No objection.**

KC Highways Development Management - The proposed use will not intensify vehicle movements or parking requirements over and above a normal large residential property. As such, the proposal is considered acceptable to Highways Development Management.

KC Ecology - No comments to make on this from an ecological perspective.

## **9.0 MAIN ISSUES**

- Principle of development
- Visual amenity
- Residential amenity
- Highway issues
- Representations
- Other matters

## **10.0 APPRAISAL**

### Principle of development

- 10.1 The site is without notation on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. LP1 goes on further to stating that: *“The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”*
- 10.2 Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.
- 10.3 The principle of the proposal upholds the aims of the NPPF in terms of addressing the needs of groups with specific housing requirements. Locally, the Kirklees Local Plan (adopted 2019) supports the delivery of a range of housing types to meet identified needs. Whilst the Local Plan has no policies specifically relating to care homes. Policy LP1 promotes sustainable development that improves the economic, social, and environmental conditions of the district. LP7 supports meeting housing needs by promoting the efficient reuse of existing buildings and brownfield land, helping deliver sustainable development while preserving local character and minimising land consumption and Policy LP11 encourages a mix of housing to meet the needs of all groups, including those requiring care. Therefore, there is no presumption against such a use.

- 10.4 Kirklees Planning Guidance for Children's Homes 2025 provides guidance to assist applicants, planning officers, and stakeholders in the preparation and assessment of planning applications for children's homes within Kirklees. While it sets out key considerations, policy context, and good practice principles, it is important to note that this guidance does not form part of the statutory development plan and has not been adopted as a Supplementary Planning Document (SPD). As such, it carries limited weight in the formal decision-making process but may be used as a material consideration where relevant to the planning judgement of individual cases.
- 10.5 In terms of changing the use of the building, Policy LP7 and LP24 of the Kirklees Local Plan are relevant in conjunction with Chapters 8 and 12 of the NPPF taking into account the character of the area, the amenities of neighbouring properties, highway safety and ensuring the safe operation of the home and community cohesion.
- 10.6 The application site is considered to be within a sustainable location in terms of proximity to transport links including bus stops, education facilities and services.
- 10.7 Therefore, in this case, the principle of development on the application site is considered acceptable, and shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety and other matters that may arise.

#### Visual amenity

- 10.8 Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.
- 10.9 The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states: *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*
- 10.10 Paragraph 135(c) of the NPPF sets out that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

- 10.11 The submitted plans confirm that no external alterations are proposed as part of the application. On this basis, it is considered that the proposed change of use would have a neutral visual impact on the character and appearance of the surrounding area.
- 10.12 Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan, the Housebuilders Design Guide SPD and the aims of Chapter 12 of the National Planning Policy Framework. Furthermore, the proposal would not cause any detrimental harm to the significance of the Edgerton Conservation Area and would comply with Policy LP35 of the Kirklees Local Plan, Chapter 16 of the NPPF and the requirements of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

#### Residential amenity

- 10.13 Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.
- 10.14 The proposed works would not include any exterior alterations to the building and therefore the proposal would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of the neighbouring occupants, over and above the existing arrangements on site.
- 10.15 Having considered the above factors, the proposal is unlikely to result in any detrimental harm upon the residential amenity of any surrounding neighbouring occupants and would comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Paragraph 135(f) of the National Planning Policy Framework.

#### Highway issues

- 10.16 Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.17 This application seeks a change of use from dwelling (C3) to residential children's home (C2) at 81 George Avenue, Birkby, Huddersfield. The proposal will accommodate two children at any one time and the maximum number of staff on duty will be three. George Avenue is a typical residential road consisting

of a mix of detached and semi-detached properties. In effect, the facility will be similar to the use of the property as a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a normal large residential property. The provision of waste collection will remain as existing and is unaffected by the proposals. These proposals are therefore considered acceptable to KC Highways Development Management.

- 10.18 In view of the above, it is considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

#### Other Matters

- 10.19 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.

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures.

- 10.20 Biodiversity

The application form states that the development subject to the de minimis exemption, would be exempt from providing Biodiversity Net Gain. At this stage, Officers are only able to assess this on the basis of submitted information. Should the proposal be considered not exempt by reason of not being this or other relevant categories for the scale of the development then an appropriate condition, supported by a BNG metric submitted for the approval of the LPA, would be required to ensure on-site BNGs would last for at least 30 years to meet the requirements of this legislation.

- 10.21 Crime and Anti-Social Behaviour

Section 17 of the Crime and Disorder Act 1998 places a duty on each local authority to "*do all that it reasonably can to prevent crime and disorder in its area.*" Chapter 8 of the NPPF relates specifically to promoting healthy and safe communities. Paragraph 96 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places which "*are safe and accessible, so that crime and disorder do not undermine the quality of life or community cohesion.*"

Chapter 12 of the NPPF states under Paragraph 135(f) that planning decisions should “*create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*”

Policy LP1 of the Kirklees Local Plan forms a provision for proposals which do not have specific policies to ensure that permission can be granted unless there are material considerations including adverse impacts (which the potential for crime and disorder) would be a significant factor, where the adverse impacts would outweigh the benefits.

It is considered, given the nature of care provided, that the care facility has suitable and adequate measures to prevent a material decrease to the quality of life of residents. The proposed staff to child ratio of 2:1 is suitable for preventing unsociable activities from arising. The care facility is not dissimilar from a family unit in its operation, albeit on the scale of a larger family. In terms of the character of the area, the area is residential, close to transport links, schools and green spaces. It is not considered to be an unsuitable location for childcare.

It is therefore considered that the use of the buildings as a care facility would not cause concerning levels of crime and anti-social behaviour or be an unsuitable location for a care home.

### Representations

10.22 Nineteen representations were received in objection following the statutory publicity. The comments made have been summarised and addressed below:

- Increased traffic and parking demands  
*Officer Comment: KC Highways DM have confirmed that the facility will be similar to the use of a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a normal large residential property.*
- Loss of residential character  
*Officer Comment: As the property would be the primary residence of the children, the use is considered to be appropriate within a residential area.*
- Pressure on local amenities and services  
*Officer Comment: This matter would not constitute a material planning consideration.*
- Staff arriving for and leaving shifts, traffic from visitors, deliveries, and ambulances will all create extra noise and disturbance  
*Officer Comment: The proposed use would not be dissimilar to a large family home and as such would not have a greater impact than the existing use.*

- Construction work would affect residents due to the extra unnecessary visual and noise pollution  
*Officer Comment: Impacts from construction are temporary and are not material planning considerations*
- The care home would potentially reduce value of the properties on the street  
*Officer Comment: This matter would not constitute a material planning consideration.*
- Allowing commercial premises will alter the dynamics of the neighbourhood and could lead to more commercial activity being allowed in the future.  
*Officer Comment: This matter would not constitute a material planning consideration.*
- There is a school on this road, during peak and off-peak times it would increase congestion, this would have a bearing on safety.  
*Officer Comment: KC Highways DM have confirmed that the facility will be similar to the use of the property as a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a normal large residential property.*
- The company 'Always Here Care Limited' (Company Number 15799526) was only incorporated on 24 June 2024. No proven track records of managing children in care and therefore little knowledge how the company would manage a care home supporting vulnerable children.  
*Officer Comment: This comment regarding the experience or the lack thereof of the care provider is not a material consideration.*
- If there was a problem with one of the children in care, this might have an effect on the pupils at the school.  
*Officer Comment: Fear of crime is a material consideration where it is based on legitimate evidence. However, in this case, the agent has supplied a management plan with the application which seeks to demonstrate the home would be well managed, including CCTV and appropriate security measures with protocols in place such as curfews. In the event that planning permission be approved, it is recommended that the decision include a condition requiring the home be operated in accordance with said management plan.*
- The road is currently too narrow for multiple ambulances and emergency services. This will cause a blockage during emergencies.  
*Officer Comment: KC Highways Development Management have raised no concerns with the proposal.*
- The change of use to a care facility for teenagers with significant emotional, behavioural, or medical needs represents a substantial departure from the existing residential character of the neighbourhood.  
*Officer Comment: As the property would be the primary residence of the children, the use is considered to be appropriate within a residential area.*

- The proposed application for a care home is changing the use from residential to business, which is restricted under the covenant.  
*Officer Comment: This matter would not constitute a material planning consideration.*
- The applicant manages another property on the street which has negatively impacted the whole street. The residents' complaints have been ignored and no appropriate measures have been taken to mitigate those impacts.  
*Officer Comment: This matter would not constitute a material planning consideration.*
- Parking around the area is very busy especially around school times and the area is known for being dangerous for pedestrians including children and families, with cars parking on and driving on the pavements.  
*Officer Comment: KC Highways Development Management have raised no concerns with the proposal.*
- There are concerns over the current state of the building and its external appearance. It is unknown how the building will be altered during change of use.  
*Officer Comment: No external alterations are proposed to the existing building as part of the current application.*
- The care home does not provide in detail how it will manage the parking and traffic issues.  
*Officer Comment: KC Highways DM have confirmed that the facility will be similar to the use of a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a normal large residential property.*
- The street comprises residential family homes and there are no children's care home facilities in the vicinity to my knowledge.  
*Officer Comment: This matter would not constitute a material planning consideration.*
- The staff, manager, visitors and handover or change of shift times could easily have 6-8 staff members in the care home at any one time. Where would they park as the care home has only 2 parking spaces.  
*Officer Comment: KC Highways DM have confirmed that the facility will be similar to the use of a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a normal large residential property.*
- The change of use to care facility for teenagers with health, mental and social behavioural problems which could be risk to other residents in area.  
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- A care home should not be located at a semi-detached house affecting surrounding home owners but a separated property on its own.  
*Officer Comment: This matter would not constitute a material planning consideration.*
  
- The site is in close proximity to St Patricks School. Concerns have been raised locally about the potential interaction between the proposed use and the pupils, particularly if problems were to arise with children in care.  
*Officer Comment: Fear of crime is a material consideration where it is based on legitimate evidence. However, in this case, the agent has supplied a management plan with the application which seeks to demonstrate the home would be well managed, including CCTV and appropriate security measures with protocols in place such as curfews. In the event that planning permission be approved, it is recommended that the decision include a condition requiring the home be operated in accordance with said management plan.*
  
- While safeguarding and regulation are primarily operational matters, the location next to a school must be a material planning consideration given the heightened sensitivities and risk of conflict with established community uses.  
*Officer Comment: Fear of crime is a material consideration where it is based on legitimate evidence. However, in this case, the agent has supplied a management plan with the application which seeks to demonstrate the home would be well managed, including CCTV and appropriate security measures with protocols in place such as curfews. In the event that planning permission be approved, it is recommended that the decision include a condition requiring the home be operated in accordance with said management plan.*

10.23 A petition has also been provided in relation to the planning application. The petition was submitted as a web link within one of the representations. The petition contains 75 signatures in objection to the proposed scheme. The comments made have been summarised and addressed below:

- The proposed property is located within a quiet, residential area, primarily composed of family homes. The change of use to a care facility for teenagers with significant emotional, behavioural, or medical needs represents a substantial departure from the existing residential character.  
*Officer Comment: As the property would be the primary residence of the children, the use is considered to be appropriate within a residential area.*
  
- This type of care home will require not only 24 hour support but also regular visits from a variety of external professionals. The cumulative effect of this increased footfall and traffic presents real and legitimate concerns for the nearby residents.  
*Officer Comment: KC Highways DM have confirmed that the facility will be similar to the use of a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a normal large residential property.*

- The property is located in a narrow residential street with very limited parking and in very close proximity to St Patrick's Catholic Primary School which generates significant traffic and parking issues, especially during school pick up and drop off times. The proposed care home will exacerbate these issues further.

*Officer Comment: KC Highways DM have confirmed that the facility will be similar to the use of a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a normal large residential property.*

- The care homes children management plan states it will accommodate two young people at a staffing ratio of 2:1 (two staff members to support one child). The expected number of staff and visiting professionals far exceeds what the property or on street parking can reasonably accommodate. This raises potential issues around safety in an already limited parking street.

*Officer Comment: KC Highways DM have confirmed that the facility will be similar to the use of a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a residential property of this size.*

- The care home will reduce the enjoyment of the property through increased traffic and noise

*Officer Comment: KC Highways DM have confirmed that the facility will be similar to the use of a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a residential property of this size.*

- We have lived on this street for over 30 years, we chose to live on this street due to the fact that it was quiet and all properties were to be private dwellings. There were restrictive covenants in place that would protect this status. The proposed application of care home is changing the use from residential to business, which is restricted under the covenant.

*Officer Comment: This would not be a planning matter and would not constitute a material planning consideration.*

- The applicant is a landlord and manages another property on the street which has negatively impacted the whole street. The residents' complaints have been ignored and no appropriate measures have been taken to mitigate those impacts.

*Officer Comment: This matter would not constitute a material planning consideration.*

- We would like to confirm the parking and traffic issues already faced on the street.

*Officer Comment: KC Highways DM have confirmed that the facility will be similar to the use of a large family home, and it is not expected that the use will intensify vehicle movements or parking requirements over and above a residential property of this size.*

## **11.0 CONCLUSION**

- 11.1 The proposal would beneficially provide a home for children in need of care. The existing building is of substantial and permanent construction and requires only internal alterations to facilitate the accommodation of 2 young people plus staff for use as a care home.
- 11.3 Whilst a significant number of objections have been received that raise concerns regarding the impact on residential amenity, the character of the area, parking provision and highway safety, it is considered that due to the small scale and nature of the proposed care home, there would not be a significant detrimental impact on these issues.
- 11.4 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.
- 11.5 This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and it is, therefore, recommended for approval.

## **12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)**

1. Development to commence within 3 years
2. In accordance with plans
3. Restrict the maximum number of children
4. In accordance with management plan

### **Background Papers:**

Application and history files.

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2025%2f92092>

Certificate of Ownership – Certificate A signed