

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) – SECTION 16

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR LISTED BUILDING CONSENT

Reference No:	2024/65/92106/E
Site Address:	Wesley House, Huddersfield Road, Birstall, Batley, WF17 9AZ
Description:	Listed Building Consent for alterations to convert former offices to 21 apartments (within a Conservation Area)
Recommending Officer:	Nina Sayers

DECISION – Listed Building Consent – Approve

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.

Nick Hirst

AUTHORISED OFFICER

Date: 29-Oct-2025

Officer Report

Reference: 2024/65/92106/E

Site: Wesley House, Huddersfield Road, Birstall, Batley, WF17 9AZ

Proposal: Listed Building Consent for alterations to convert former offices to 21 apartments (within a Conservation Area)

Site Description

The application relates to a 0.13ha site serving Wesley House and the associated car parking and access. The building is a large building adjoined to the Methodist Church located to the northwest. The building is set in a prominent position at the corner of Chapel Lane and Huddersfield Road.

The building is stone construction with some areas of paint/render. The internal accommodation is set over four floors facilitated by mezzanine levels, with a central void, at the first and third floors. Externally the building is set within an existing car parking area which serves 23 parking spaces and is accessible off Chapel Lane. There is a grassed area to the east which is not included within the application site. There is a protected tree (TPO) adjacent to the site access and there is soft landscaping along the southern boundary.

The building is Grade II Listed and the adjacent Methodist Church and grassed area fall under the curtilage listing. The site also falls within Birstall Conservation Area and is ~22m south of the boundary of Birstall District Centre.

Planning permission and Listed Building Consent has previously been approved for the conversion of the building to residential (21 units), under application ref. 2018/90207, with a similar (although not the exact same) layout as that now proposed. The previous permission was never implemented.

Description of Proposal

The applicant is seeking Listed Building Consent for the alterations to convert former offices to 21 apartments (within a Conservation Area).

Internally the proposal would include the infilling of the void spaces at the first and third floor, to complete the storey's floor plate, and the installation of a lift and stairway. The existing partition walls would be removed and new ones erected, to form the proposed units.

Externally the alterations would be minimal and would be limited to additional rooflights and roof vents.

History of negotiations

Officers had concerns regarding the ground and second floor living accommodation which is only served by small openings. The applicant

discussed the idea of adding additional openings however, in the interest of preserving the listing building and not causing harm to visual amenity, officers outlined they would not support additional openings. Instead, a revised internal layout was provided which proposed the kitchen area to the lower levels and all other living accommodation to the upper levels which have larger openings.

Amended plans were not readvertised given the limited scope of the amendments and as there would be no additional harm to residential amenity as a result of the proposal.

Relevant Planning History

Application Site

89/06486: Conversion of chapel into offices (Listed Building) – Approved

89/06487: L.B.C. for internal alterations to form four new floors/new external windows and doors/demolition of manse and provision of car park – Approved

2017/20368 (Pre-application enquiry): Advised to reduce the scale of the proposals and to ensure adequate parking, also that dormers to the roof would not be supported. 2018/90206 – Listed Building Consent for conversion – Approved

2018/90207: Condition full permission subject to S106 for affordable housing contributions.

2024/92105: Alterations to convert former offices to 21 apartments (Listed Building within a Conservation Area) – Aligned Planning Permission – Granted

Surrounding Area

Birstall Methodist Church

2016/90803 Listed Building Consent for erection of single storey rear extension (within a Conservation Area). Granted.

2016/90802 Erection of single storey rear extension (Listed Building within a Conservation Area). Conditional full permission.

2016/90693 Work to tree(s) within a conservation area. Granted

Enforcement History

Non relevant to the proposed development or application site.

Representations

The application was advertised by neighbour notification letters, site notice, in the press and on the council website. In total, over the course of the application

5 representations have been received, 3 in objections, 1 in support and 1 general comment. The following is a summary of the comments received which relate to the Listed Building Consent:

- Support idea of it being converted into flats
- Support the restoration of a disused building
- Chapel is an important part of Birstall's history

Consultation Responses

KC Conservation and Design – No objections subject to conditions

Policy

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 27th February 2019). The Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), both require development to be considerate in terms of the character of the host property and the wider street scene.

The site unallocated within the Kirklees Local Plan however it is located within Birstall Conservation Area and is Grade II Listed.

Kirklees Local Plan

- **LP1** – Achieving sustainable development
- **LP2** – Place shaping
- **LP24** – Design
- **LP35** – Historic Environment

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th 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 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the built environment

Assessment

The subject building is grade II Listed and located within the Birstall Conservation Area. Paragraph 210 of the National Planning Policy Framework states

“In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- a) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- b) the desirability of new development making a positive contribution to local character and distinctiveness.”*

This is supported by LP35 of the Kirklees Local Plan which states that development proposals affecting a designated heritage asset should preserve or enhance the significance of the asset. Chapter 16 of the NPPF outlines that great weight should be given to the conservation of a designated heritage asset.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 needs to be considered which advises that development should preserve and enhance a conservation area and its setting.

The building to which this application relates is grade II listed. The listing details are as follows:

“Methodist Chapel. Dated 1846. Possibly by James Simpson. Dressed stone with ashlar dressings. Pitched Welsh slate roof. 2 storeys on tall plinth with basement. 6 bay hall with 5 bay plain Classical front, flanked by broad clasping pilasters. 3 bay central break is pedimented with tablet in tympanum with embossed lettering: WESLEYAN CHAPEL To left and right steps lead to panelled doors with round arched fanlight in doorcase with engaged columns, entablature and blocking course. Round arched windows, with architraves, have keystone and impost blocks and marginal glazing.

Fine interior has gallery to 3 sides on thin Corinthian columns. Pilaster bay divisions to walls. Gallery and ground floor are box pewed throughout to seat 1150. Handsome organ case framed in Corinthian order. Tall pulpit up twin flights of stairs. Communion table and ornamental cast iron Communion rail. Cast iron balconies from organ to staircase doors and gallery.”

Consideration must first be given to what the heritage value of the identified heritage asset is. Following the historic approvals 89/06486 and 89/06487, which permitted the conversion of the former chapel to the current offices, much of the building's original internal layout has been changed and what internal value may have once existed has been substantially reduced. Accordingly, the

heritage value of the building is considered to predominantly drive from its external architectural value.

The proposed development would involve minimal works to the exterior of the building. All existing windows would be retained which is welcomed. The scheme would include additional roof lights. Given the relatively shallow roof pitch and the height of the building, the roof face is not prominent when viewed from the adjacent highways; the introduction of roof lights would neither diminish the value of the main elevations, nor be overly prominent. They are therefore considered acceptable. Officers would however recommend a condition that only conservation type roof lights are used which are flush with the roof slope. It is also recommended that conditions are added to secure appropriate pointing and mortar to protect the exterior of the building.

The applicant has proposed three ‘flush slate vent tile’ set within the roof face. The proposed venting is considered acceptable however it would be conditioned that if any additional ventilation were to be required the applicant would need to provide details of this as this could have a harmful impact on the listed building.

Initially the scheme proposed a lift shaft, which protruded out the roof face of the building, serving lift access to the fourth floor. Officers raised concerns regarding the impact of this on visual amenity and the listed building’s heritage value. As a result, amended plans were received which removed the protruding element whilst retaining the internal lift.

Internally the proposal would require the infilling of the existing mezzanine style floors. It is however noted that there has already been significant works to the interior of the building, changing it from its original stage, and the visible original features are limited. Officers therefore do not have significant concerns regarding the impact of the development on the interior of the building however a condition is recommended to ensure all original features are retained and protected to preserve the historic character.

Weighing the above, it is considered that the proposed works would result in less than substantial harm to the character of the designated heritage assets, albeit on the lower end of less than substantial. This is because it would introduce new / modern features to a historic building, therefore changing it from its original stage, however the changes proposed are minimal (and to be mitigated via condition). While much of the original internals have already been lost, the proposal would further change the internal space away from the original state.

The application site is located within Birstall Conservation Area and therefore the impact of the proposal on the conservation area must also be assessed. The Birstall Conservation Area Appraisal states:

“The area of Birstall Market Place was originally designated as a conservation area in 1998 in recognition of its ‘special architectural or

historic interest. The character of which it is desirable to preserve and enhance' now and for future generations. Conservation areas are recognised for the contribution they make to cultural heritage and economic well being of the country and to the locality. The Conservation Area now extends to the Kirkgate area where listed buildings such as St. Peters Church and the former National School House buildings provide important historic and cultural focal points and up to the Mount which leads to a group of converted farm buildings which date from the 17th Century."

The appraisal highlights the importance of preserving the Birstall Conservation Area but does recognise that *"new developments in the revised Birstall conservation area which are sympathetic to the character and setting of Birstall conservation area would be cautiously welcomed."*

The proposed development is for the change of use of the existing building and would include minor alterations to the exterior of the building as outlined in detail above. It is noted that the scheme would utilise the existing car park and would retain the soft landscaping around the site. It is therefore considered that the proposed development would preserve the character and significance of the conservation area.

Paragraph 215 of the NPPF states:

"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."

The proposal would be bringing a vacant building back into use and would contribute towards Kirklees's housing requirements, at a time of need. The site has been vacant for several years, indicating the current office use is not the optimum viable use. It is therefore considered that the public benefits of the proposal would outweigh any harm to the character of the heritage assets. Given the limited external alterations, no significant harm is considered to be caused to visual amenity as a result of the proposed development. It is therefore considered that, subject to conditions, the proposed development complies with LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the NPPF.

Conclusion

It is concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 2, 12 and 16 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Recommendation: Grant Consent

Report Dated: 28/10/2025

Decision Authorisation: Delegated Powers

Application Number: 2024/92106

Officer Recommendation: Approval

Conditions and Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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, LP21, LP22, LP24, LP30, LP33, LP35 and LP63 of the Kirklees Local Plan, the adopted Housebuilders Design Guide SPD and Chapters 2, 5, 9, 11, 12, 15 and 16 of the National Planning Policy Framework.

3. The roof light(s) shall be of a conservation style to be fitted flush with the roof slope. Details of the roof light shall be submitted to and approved in writing by the Local Planning Authority before any works to the roof commence. The roof lights shall then be installed in accordance with the approved details and thereafter retained.

Reason: In the interest of preserving the historic character of the building in line with LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

4. The pointing and mortar shall in all respects match the appearance of the existing building.

Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

5. Prior to any additional ventilation being installed (other than ventilation clearly shown on the submitted plans) details must be provided, and approved by, the Local Planning Authority. The ventilation shall then be installed in accordance with the approved details and thereafter retained.

Reason: In the interest of preserving the historic character of the building in line with LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

6. Any existing features, both internal and external, which formed part of the original building must be retained and protected at all times.

Reason: In the interest of preserving the historic character of the building in line with LP24 and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

Plan Type	Reference	Version	Date Received
Location Plan and Proposed Site Plan	KL/24/1709/01		26/07/2024
Existing Floor Plans	KL/24/1709/02		26/07/2024
Existing Elevations	KL/24/1709/03		26/07/2024
Proposed Floor Plans	KL/24/1709/04	A	11/12/2024
Proposed Elevations	KL/24/1709/05	B	11/12/2024
Design Statement			26/07/2024
Heritage Statement			26/07/2024
Financial Viability Appraisal	February 2025		25/02/2025
Financial Viability Appraisal Rebuttal	June 2025		26/06/2025
Bat Emergence Survey	Q16225		24/09/2025
Allied Surveyors & Valuers Report			26/06/2025
Supporting Email from Jane Wetherop Ltd.	24 th June 2025		26/06/2025

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 Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Officers had concerns regarding the ground and second floor living accommodation which is only served by small openings. The applicant discussed the idea of adding additional openings however, in the interest of preserving the listing building and not causing harm to visual amenity, officers outlined they would not support additional openings. Instead, a revised internal layout was provided which proposed the kitchen area to the lower levels and all other living accommodation to the upper levels which have larger openings.

Amended plans were not readvertised given the limited scope of the amendments and as there would be no additional harm to residential amenity as a result of the proposal.