

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:	2025/62/90480/W
Site Address:	Almondbury Working Mens Club, Southfield Road, Almondbury, Huddersfield, HD5 8RY
Description:	Change of use of from working mens club to mixed use event hall (Sui Generis) incorporating Class E spaces and associated works
Recommending Officer:	Danielle Cooper

DECISION – Conditional Full Permission

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 27 May 2025

Site description

The application site comprises the building at 17 Southfield Road, known as the Almondbury Working Mens Club which is now vacant but served as a local community use (Sui generis).

The building is single storey in scale but with room within the roofspace. The building is constructed from stone with single storey extensions to the rear and has a front box styled dormer window. The main entrance to the building is located within the middle of the building located off of Southfield Road. On site parking is located to the front of the building.

The area is predominantly residential in character, but a local convenience store is located a short distance north of the application site.

Description of proposal

The applicant proposes to change of use of from working mens club to mixed use event hall (Sui Generis) incorporating Class E spaces and associated works.

Ground floor –

Community Event Hall with Bar/Kitchen – *Sui Generis*

Shop No. 01 (Coffee Shop) – *Class E*

Shop Nos. 02 & 03 (Retail Units) – *Class E*

First floor -

Office Space for community support services and small enterprises – *Class E*

The hours of use will be

Community Event Hall: 9:00 AM – 10:00 PM

Coffee Shop, Retail Units, Offices: 8:00 AM – 6:00 PM

The only proposed external change to the building is the 3 ground floor front doors.

Floor plans have been submitted which indicate where each use will operate.

The basement of the building will be used for storage purposes only for the upper uses.

History of Negotiations / Amendments Received

Further information was requested from the agent to confirm the proposed uses and to operation hours.

Relevant Planning History

None.

Representations

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

The application has been publicised by site notice and in the press. The expiry date of the publicity period was the 27th April 2025.

6 letters of representation have been received and the comments have been summarised below:

- Highway safety concern / traffic congestion
- What type of shops will operate within building / what cultural events will take place / what will the educational services be / How will the event space be used
- Concern of existing sewage situation and how the proposal might worsen the existing situation
- Concern of loss of privacy if rear windows are inserted
- No neighbour consultation with nearby residents
- Concern the rear area will be used as a smoking area
- Concern a hot food takeaway use will operate within the building / religious centre
- Concern of increased noise disturbance
- Concern of rodents living in the building

Only material planning considerations can be assessed as part of this application. Concerns relating to visual and residential amenity, and highway safety will be discussed within the assessment of this officer report.

Consultation Responses

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

KC Highways DM – No objections.

KC Environmental Health – No objections subject to a condition re noise impact assessment and electric charging vehicles to be installed.

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

Allocation and 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).

Kirklees Local Plan (2019):

The site is not allocated within the Kirklees Local Plan.

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP7 – Efficient and Effective Use of Land and Buildings
- LP9 - Supporting skilled and flexible communities and workforce
- LP13 – Town Centre Uses
- LP20 – Sustainable Travel
- LP21 – Highway and Access
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity and Geodiversity
- LP48 – Community Facilities and Services
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and Improvement of Environmental Quality

Supplementary Planning Guidance / Documents:

- Biodiversity Net Gain Technical Advice Note
- Highways Design Guide SPD
- Crime and Disorder Act 1988

National Planning Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th December 2023, 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 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed and beautiful places

Main issues

- Principle of Development
- Impact on Visual Amenity
- Impact on Residential Amenity
- Impact on Highway Safety
- Environmental Matters
- Representations
- Conclusion

Principle of Development

NPPF Paragraph 11 and Policy 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.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 of the NPPF concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted.

Policy LP7 of the Kirklees Local Plan requires developments to encourage the reuse or adaptation of vacant or underused properties.

LP9 of the Kirklees Local Plan states that proposals for new development will be strongly encouraged to contribute to the creation of local employment opportunities within the district.

The proposal is to change the use of the former working mens club to a mixed use event hall (Sui Generis) incorporating, shops and office space (Use Class E).

The new event hall will be provide a space for various activities for the local community. As such, policy LP48 of the Kirklees Local Plan is therefore relevant:

LP48 states the following:

‘Community facilities should be provided in accessible locations where they can minimise the need to travel or they can be made accessible by walking, cycling and public transport. This will normally be in town, district or local centres.

Proposals will be supported for development that protects, retains or enhances provision, quality or accessibility of existing community, education, leisure and cultural facilities that meets the needs of all members of the community.’

The proposed new uses at the site will bring the whole building into use which is supported by the LPA and will provide new jobs as well as local services to the surrounding communities and businesses. In addition, the proposal is located within an accessible location, sited within a close distance to public transport links, complying with policies LP1, LP7, LP9 & LP48.

Change of use of building which includes Town Centre Uses – floor area of 7180m2

Sequential & Impact test

Due to the size and location of the building in question being outside of a town centre, and some of the proposed uses being classified as ‘Town Centre Uses’, this triggers a LP13 (a) & (b) of the Kirklees Local Plan. Office uses are classified as Town Centre Uses as confirmed within the NPPF, page 74.

Paragraph 91 of the NPPF states that:

‘Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.’

Policy LP13 of the KLP states that:

‘Proposals which come forward for main town centre uses, which are located outside of the defined centre boundaries, will require the submission of a Sequential Test.

An Impact Assessment will be necessary for proposals (including the formation of mezzanine floors) for/or which include retail, leisure and office developments which are not located within a defined centre where:

- the proposal provides a floorspace greater than 500 sq.m gross; or*
- the proposal is located within 800 metres of the boundary of a Town Centre or District Centre and is greater than 300 sq.m gross; or*
- the proposal is located within 800 metres of the boundary of a Local Centre and is greater than 200 sq.m gross.*

Proposals which would have an significant adverse impact on surrounding centres shall not be supported.’

The Council recognises the importance of impact assessments being proportionate to the scale of the development. A sequential test has been submitted to support the application, however the LPA does note that this is limited in detail.

Nevertheless, the LPA consider the following factors to not result in any additional impacts to town or local centres as a result of the mixed-use development:

- The proposal will bring an existing vacant former sui generis use back into use which will provide services for the local community, which in turn will also support local business growth and job creation.
- The site is located just outside of Almondbury District Centre, which comprises commercial and retail uses.

As such, taking into account the above reasons, the LPA do not consider the proposal to result in a significant adverse impact on surrounding local or town centres and is therefore supported.

The proposed mixed use of the building, subject to being considered acceptable with regard to other considerations addressed within sections 2 – 10 of this report, is concluded to be acceptable in principle.

Impact on visual amenity

The only external change to the building is the proposed 3 ground floor front doors to provide direct access into the event hall and 2no. new shops. The doors will remain in character with the existing fenestration on the host building and as such raise no visual concern.

No other external changes are proposed.

The proposal is therefore considered acceptable on visual amenity grounds, complying with KLP policy LP24.

Impact on residential amenity

Policy LP24 of the Kirklees Local Plan requires of developments, a good standard of amenity for future occupants and neighbouring occupiers, as well as a minimising of the impact on residential amenity of future and neighbouring occupiers.

LP52 of the Kirklees Local Plan states that: *“Proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution or to increase pollution to soil or where environmentally sensitive development would be subject to significant levels of pollution, must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment.”*

The proposed hours of use is:

Community Event Hall: 9:00 AM – 10:00 PM

Coffee Shop and Retail Units: 8:00 AM – 6:00 PM

The proposed hours are considered to be similar to those of the existing working men's club. These hours will be controlled by condition.

The use of the building will also be conditioned.

Residential properties are located directly adjacent the site.

Due to the mixed uses being proposed on site, it is anticipated that there will be a slight increase in comings and goings to the site compared to the former working men's club. However the agent has confirmed via supporting statement that a dedicated building manager will oversee daily operations, event coordination, and tenant relations. After events conclude at 10:00 PM, guests will exit through the main front entrance only, and clear signage will encourage courteous behaviour upon departure. Security personnel will be present during events, if required. In addition, the inclusion of the event hall for multiple purposes is likely to generate increased noise levels from the site. As such, KC Environmental Health have requested that a noise impact assessment is submitted prior to the development being brought into use to ensure potential noise disturbance is mitigated and to see if any mitigation measures are required to sound insulate the building and therefore protect residential amenity of nearby residential properties.

The proposed new front doors will overlook the existing parking area and as such raise no concern to the loss of privacy. No other alterations are proposed to the existing fenestrations.

Subject to such a condition the development is considered to be acceptable in this regard and therefore accords with Kirklees Local Plan policy LP24 and LP52.

Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide also seeks to ensure acceptable levels of off-street parking are retained are also considered to be of relevance.

KC Highways DM have reviewed the proposal and consider it acceptable.

The proposals intend to use the existing vehicle accesses on Southfield Road to access the existing car parking spaces and it is considered unlikely that the new uses would significantly intensify the use of this road, compared to the existing former working men's club.

In terms of traffic generation, the proposed use is likely to generate similar vehicle trips to the existing use so there would be minimal traffic impact.

If any changes are required to the access within the adopted highway fronting the building, to provide a dropped kerb, will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). This will be imposed as an informative.

In addition, the approved vehicle parking areas, showing 13 on site parking spaces, will need to be surfaced and drained which will be conditioned as such.

KC Environmental Health have requested that a scheme detailing dedicated facilities for 10% of the on-site parking spaces to be provided with electric charging vehicle points. This will be conditioned.

The proposed bin storage is located to the side of the building which is considered acceptable and will be dragged to the street for collection and then returned to side of the building.

As such, it is concluded that the scheme would not represent any significant impact in terms of highway safety, complying with Policies LP21 and LP22 of the Kirklees Local Plan.

Climate change

The proposal is a small scale development. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

The proposal is for a material change of use of an existing unit. Further conditions attendant to the climate change agenda are on balance not considered necessary in this instance in light of the six tests of planning conditions set out in National Planning Practice Guidance (NPPG).

Bats / Ecology:

Chapter 15 of the National Planning Policy Framework are 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.

With regards to Biodiversity Net Gain, the submitted application form sets out that the proposal is subject to the de minimis exemption as the development will not result in any ground works and as such does not need to provide 10% net gain.

Representations

5 letters of representation have been received and the comments have been summarised below:

- Highway safety concern / traffic congestion

Officer comment: The highway officer has reviewed the proposal and has raised no concerns. The proposed traffic generation from the new use is considered to have a similar impact to the existing working men's club and is therefore considered acceptable. It is also noted that the existing site has on site parking spaces.

- What type of shops will operate within building / what cultural events will take place / what will the educational services be / How will the event space be used

Officer comment: The agent has confirmed that the uses on site will be as such:

Ground floor -

Community Event Hall with Bar/Kitchen – *Sui Generis*

Shop No. 01 (Coffee Shop) – *Class E*

Shop Nos. 02 & 03 (Retail Units) – *Class E*

First floor -

Office Space for community support services and small enterprises – *Class E*

The LPA does not have control over the type of retail shop that shops No. 2 & 3 can be used as, however they must operate within Class use E (retail). The first floor space will operate as an office space for community support services and other small enterprises under use Class E which is considered to be an acceptable use class within this area.

The type of cultural events that will take place cannot be controlled by the planning authority. However, the proposed community event hall will be used for family-friendly and community-based gatherings, such as social events, birthdays, wedding receptions, and other celebratory functions

- Concern of existing sewage situation and how the proposal might worsen the existing situation

Officer comment: The existing sewage situation is not a material planning consideration and is a private civil matter that should be discussed with the applicant.

- No neighbour consultation with nearby residents

Officer comment: The application was advertised in accordance with the Kirklees Development Management Charter 2024 and a site notice was erected on the 3rd April 2025, outside of the application site.

- Concern of loss of privacy if rear windows are inserted
- Concern the rear area will be used as a smoking area

Officer comment: No new windows are proposed to the rear elevation and the new use is considered to have a similar impact to that of the existing situation and as such there are no concerns to the loss of privacy. The proposed plans show that the proposed uses cannot directly access the rear fire door and as such cannot be used as a smoking area. If this area was to be used as a smoking area, the enforcement team should be contacted.

- Concern a hot food takeaway use will operate within the building and the building will be used as a religious centre

Officer comment: the proposal does not include a hot food takeaway use, or a religious centre. If a hot food takeaway, or religious centre began to operate within the building, the enforcement team should be contacted and a planning application would be required.

- Concern of increased noise disturbance

Officer comment: The applicant will need to submit a noise impact assessment which will ensure the noise omitted from the building is acceptable and not over and above the existing background noise limit. Further noise mitigation measures would be required which will protect residential amenity from noise disturbance. The hours of use will also be controlled as such:

Community Event Hall: 9:00 AM – 10:00 PM

Coffee Shop / Retail Units / office space: 8:00 AM – 6:00 PM

It is also noted that the proposed hours of operation will be similar to that of last use of the working men's club.

- Concern of rodents living in the building

Officer comment: Concern of rodents are not a material planning consideration, however if concerns persist, it is advised to contact the applicant directly.

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

Recommendation: Approve
Decision Authorisation – Delegated Powers
Application Number: 2025/90480
Officer Recommendation: Approve

Conditions and Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.
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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP8, LP21, LP22, LP24, LP27, LP30, LP31, LP51 and LP53 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.
3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders), each of the floors will be used as the following uses and for no other purposes:

Ground floor: Sui Generis (community hall), and Class E (coffee shop, retail units)

First floor: Class E (office space), operating within use class Sui Generis and Class E

No units hereby approved shall be merged, combined, or consolidated with any other unit to form a larger unit, without having first obtained express written consent from the council.

Reason: To ensure that the proposed development does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with Policies LP24 and LP52 of

the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

4. The development hereby approved shall not be in operation outside the hours of:

Community Hall:
09:00 to 10:00 Monday to Sunday

Coffee shop, retail units, office space:
08:00 to 18:00 Monday to Sunday

Reason: To ensure that the proposed development does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

5. Prior to operation of the approved development, a noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

an assessment of all noise emissions from the proposed development
details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises
a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such measures shall be thereafter retained.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

6. Before the electrical system is installed, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of non-residential parking spaces

For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) Fast (7-23kW) or Rapid (43kW+) charging points will be more appropriate. If Fast or Rapid charging points

are proposed together with restrictions on the times that vehicles are allowed to be parked at these points, then a lower number of charging points may be acceptable.

The agreed dedicated facilities for charging electric vehicles are to be installed, maintained and retained 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).

7. Prior to occupation of the development hereby approved, all areas shown on the approved plans to be used by vehicles and pedestrians, including roads, footways/paths and parking areas shall be laid out as shown in approved drawing No AR-07, and surfaced and drained such that surface water does not discharge or transfer onto the highway, and shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of highway safety and amenity, and to achieve a satisfactory layout in accordance with Policies LP20, LP21 and LP24 of the Kirklees Local Plan and the National Planning Policy Framework.

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-noise-consultants.co.uk/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members.

NOTE: No construction related noise shall be audible beyond the site boundary outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays.

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

NOTE: A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof.

At non-residential developments, the requirement for one standard electric vehicle charging point for at least 10% of parking spaces may initially be reduced to one charging point for at least 5% of parking spaces with the remainder provided at an agreed trigger point.

The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity. The installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, The changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Highways Asset Management Team at vehicle.crossing@kirklees.gov.uk with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

_Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan			21/02/2025
Existing and Proposed Ground Floor Plan	AR-04		08/05/2025
Existing and Proposed First Floor and Roof Plan	AR-05		08/05/2025
Existing and Proposed Elevations	AR-06		08/05/2025
Proposed block plan	AR-07		16/05/2025
Planning Statement			08/05/2025

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 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. Further information was requested from the agent to confirm the proposed uses and to operation hours.

Report Dated:

21/05/2025