

**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:	2025/62/91506/W
Site Address:	Slaithwaite Methodist Church, Station Road, Slaithwaite, Huddersfield, HD7 5AW
Description:	Partial demolition and change of use of a former church (Class F1(f)) to 7 dwellings (Class C3) with ancillary landscape and external works (within a Conservation Area)
Recommending Officer:	John Holmes

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 29-Aug-2025

Officer Report – 2025/91506

Site Description

The application site relates to an existing building in Slaithwaite which currently serves as a Church. To the north of the site is Station Road with a railway beyond. To the south of the site is Carr Lane with a building in community use to the south as well as a number of dwellings. To the north east is an attached dwelling (no.56 Carr Lane).

The prevailing character of the locality is that of urban development undertaken between 100 – 150 years ago with buildings constructed from stone and blue slate materials. A number of contemporary additions to the built form also forms part of the character of the area, although these have been undertaken in a manner sympathetic to the setting of the site.

The site is in a Conservation Area, and the nearest listed building is to the south west of the site at a distance of 48m.

Description of Proposal

The application is seeking planning permission for partial demolition and change of use of a former church (Class F1(f)) to 7 dwellings (Class C3) with ancillary landscape and external works (within a Conservation Area)

At the basement level an area for the storage of 7 cycles and an area for plant machinery is proposed as set out in drawing AL(05)109P1. A small amount of demolition of the internal fabric would be undertaken at this level as set out on drawing AL(05)029P1.

The proposal would see three flats at ground floor level with a private terrace area serving two of the flats. A waste storage area adjacent to Carr land is proposed. Windows serving main habitable rooms would be to the side elevations and the elevation facing Carr Lane at the ground floor level. One opening facing Station Road would be proposed at this level as set out in drawing AL(05)110P1.

At the ground / first floor level there would be demolition of the whole of the internal fabric of the building including the church seating / alter, stairs and externally there would be some demolition and alterations undertaken to accommodate the waste storage area. This is detailed on submitted drawings AL(05)030P1 & AL(05)031P1. In addition, part of the existing building which faces Station Road would be demolished.

At the first floor level a further 2 flats are proposed. Openings are to the elevations facing Carr Lane, Station Road and within both side elevations as shown on drawing AL(05)111P1

Two flats are proposed at the second floor level of the building, with openings serving main habitable rooms being to the elevation facing Carr lane and also to the side elevations set out in drawing AL(05)112P1.

Planning History

None

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter

The application has been publicised as affecting the setting of a conservation area on the Council's website, by neighbor notification, site notice and by press advertisement. The expiry date of the publicity period was the 11th July 2025.

Letters of Objection

Five objections have been received to this proposal. The received objections are summarised as follows:-

- Seems churlish / foolish to assume residents would be reliant on public transport infrastructure
- Likely that occupants will not solely rely on cycles for journeys and would utilise private cars
- The occupiers of the proposed development are likely to be more affluent and there would potentially be 2 cars per apartment as a result
- Strain caused as a result of additional on-street parking associated with the development would likely result in conflict between residents.
- The existing parking situation is already dangerous on the streets
- Limited parking availability to accommodate residents / construction vehicles
- Consider the scheme should be refused on the basis there is no provision for parking
- Local roads are often heavily dominated by on-street parking, especially since parking charges have been introduced to nearby car parks.

- Skips and waste removal vehicles during construction will be unable to be accommodated.
- No planning notices have been posted in the locality

The objections are addressed within the 'Assessment' section of this report.

Consultation Responses

Informal comments have been sought from the following:

KC Conservation and Design Team: Within advice provided 14th July 2025, the Conservation and Design Team raised a number of points they seek to have addressed. Within this initial response, it was outlined that the building is an unlisted heritage asset, which is considered to make a very positive contribution to the Conservation Area. They note that the existing windows are UPVC although of a design which seeks to replicate the original window design in size, proportion and detail.

The Team advise the original windows would have been timber windows with a traditional margin light design, similar to the former Wesleyan Methodist Chapel and Sunday School photograph shown on P.9 of the Design and Access Statement. They advise that the loss of the original windows is unfortunate, and although the existing windows are not original, the applicant has tried to copy the original design and type of detail/subdivision.

The initially proposed window design facing Carr Lane was considered to be too plain by the Team, failing to reflect the original character and design of the building, and would have a negative impact on the heritage asset and would fail to preserve or enhance the Conservation Area. They advise that whilst the use of metal as proposed would be acceptable, they consider a window with more detail to reflect the margin light, in particular for the front elevation, would improve the impact of the development.

Reference is made to the justification provided, specifically that internal window height would be 1.5m, reducing views out. The Team note that as there are other side windows, this justification is weakened. The applicant states they consider the window height extension to have a neutral impact. The Conservation and Design Team confirm they consider it is negative, causing loss of the original character and design, thereby it would not preserve or enhance the Conservation Area.

Amendment to the scheme is recommended within their response, specifically a method of setting the new floor back from the window and inserting a traditional margin light design for the front. A more attractive design of

window pattern for the front elevation would be an enhancement to the design and would help to preserve and enhance the character and appearance of the Conservation Area.

Turning to Solar Panels to the western roof slopes, the Conservation Team advise that if the solar panels started further back it would lessen the impact, on both buildings, they also query whether there are less prominent roofs which could be utilised or whether solar slates could be used.

The Conservation and Design Team confirm that any solar PV should be only plain black (no silver linings) and should have an anti-reflective coating.

Although the building is not listed, a condition requiring recording (photographic as a minimum, and lodge with West Yorkshire Archive Service of the existing interior is recommended by the Conservation Team as so much internal alteration is proposed. They go on to advise that the re-use of internal features would help to retain some original character. In addition, they recommend that retention of part of the front metal gate is considered and that any new ventilation or extraction to be vented to the roof where possible, to avoid any new vents to the external structure.

Within a letter dated 11th August 2025, the agent has set out their rebuttal to amendment of the scheme on the following, summarised, basis:

- The proposed development involves bringing back into use an existing non-listed building in a Conservation Area
- Paragraph 210 (a – c) of the NPPF is considered to be complied with by the proposal.
- There is no evidence to suggest that the existing plastic windows are original to the existing building and / or that the design of the windows match what was originally in the building.
- Original window design cannot be clearly defined by existing records.
- The inclusion of a spandrel is necessitated by the introduction of a new internal floor level. Incorporating a decorative window above the spandrel would result in an incongruous and visually awkward appearance.
- The proposed anthracite window design offers a material and colour palette more aligned with the architectural vernacular of the area than the existing white uPVC windows.
- Due to the attached adjacent property, obstructing potential side elevation windows, this front window is the only source of natural light and outlook.
- To only lower the cill height to one window would have a less harmonious visual impact.

- The scheme also retains the original arched window form.
- Amendments to the windows constitutes a minimal intervention in the existing fabric to provide an appropriate level of residential amenity and to bring the building to viable use.
- Installation of PV panels is required to meet forthcoming EPC (Energy Performance Certificate) standards.
- Retaining and restoring the original slate roof tiles is considered preferable than the use of PV tiles (which would require wholesale replacement of original material) is not considered appropriate for the proposed development.
- Photographic recording of the building for an unlisted building in the Conservation Area is not necessary having regard to the fact internal works can take place without the need for any planning permission.
- Existing front railings and gates will be retained wherever possible.
- Ventilation systems will be routed to the roof where possible.
- A vacant unlisted building in a Conservation Area would be brought into viable use.

The advice of the Conservation and Design Team and the subsequently submitted further information, in this case letter dated 11th August 2025 is taken into account in the consideration of this application within the 'Assessment' section of this report.

KC Highways Team: No objections

KC Trees: Advises they have no objection to the proposal.

KC Ecology: No objection subject to condition and the proposal would constitute development likely to be considered exempt from the legislative requirement to provide a Biodiversity Net Gain.

The informally provided advice of the consultees is taken into account in the 'Assessment' section of this application.

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).

The site is allocated as being within the Slaithwaite Conservation Area and is also in an area with a known presence of Bats.

The following policies are considered relevant in the consideration of this application.

Kirklees Local Plan

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP7** – Efficient and effective use of land and buildings
- **LP11** – Housing Mix and Affordable Housing
- **LP21** – Highways and access
- **LP22** – Parking
- **LP24** – Design
- **LP28** – Drainage
- **LP30** – Biodiversity and geodiversity
- **LP35** – Historic Environment
- **LP52** – Protection and improvement of environmental quality

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. In this case the Technical housing standards – nationally described space standard guidance document (dated March 2015) is considered to be of relevance

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

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 11 – Making efficient use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

Supplementary Planning Documents

Kirklees Highway Design Guide (adopted November 2019)
Housebuilders Design Guide SPD (adopted June 2021)
The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
The Planning and Compulsory Purchase Act 2004.
The Conservation of Habitats and Species Regulations 2017

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas.

When making a recommendation in respect of a planning application affecting a Listed Building or its setting, attention must be given to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic interest which it possesses'.

Assessment

1 – Principle of Development

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 chapter 2 of the National Planning Policy Framework.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that "good design should be at the core of all proposals in the district".

Policy LP3 of the Kirklees Local Plan is of relevance insofar as it requires development to deliver homes in a sustainable way. Policy LP7 of the Kirklees Local Plan states that should encourage the efficient use of previously developed land in sustainable locations provided that it is not of high environmental value and a net density of at least 35 dwellings per hectare should be provided. Principle 4 of the Housebuilders Design Guide seeks to ensure a density of 35 dwellings per hectare or more is achieved. The site is approx 500m² which provides a housing density of approximately 140 dwellings per hectare. The density of development is therefore considered to be acceptable.

Policy LP11 of the Kirklees Local Plan requires that All proposals for housing, including those affecting the existing housing stock, will be of high quality and design and contribute to creating mixed and balanced communities in line with the latest evidence of housing need.

The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%). As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

As the proposal relates to a community facility (in this case a Church) Policy LP48 of the Kirklees Local Plan is relevant, and sets out the following:

Proposals which involve the loss of valued community facilities such as shops, public houses and other facilities of value to the local community will only be permitted where it can be demonstrated that:

a. there is no longer a need for the facility and all options including the scope for alternative community uses have been considered; or

- b. its current use is no longer viable; or*
- c. there is adequate alternative provision in the locality to serve the local community which is in an equally accessible location; or*
- d. an alternative facility of equivalent or better standard will be provided, either on-site or equally accessible; and*
- e. any assets listed on a Community Asset Register have satisfied the requirements under the relevant legislation.*

As part of this application a Planning Statement has been submitted. This details at paragraph 5.10, that the building has been vacant and unused for over 12 months, indicating that its current use as a place of worship is no longer viable. No viable proposals have come forward for its reuse in this capacity.

It goes on to set out that the property was sold in December 2024 by the Trustees of the Methodist Church, following a significant decline in congregation numbers. At the time of the sale, no steps were taken by the previous landlords to identify or secure an alternative site for the displaced congregation, nor was a new place of worship established.

The statement goes on to detail that the local area is well-served by a diverse range of community facilities that address educational, cultural, and civic needs. Directly opposite the site on Cross Street is Slaithwaite Library, located within Slaithwaite Town Hall, offering valuable community and learning resources. Adjacent to the library on New Street is the Colne Valley Leisure Centre, which provides comprehensive fitness and sports amenities. Slaithwaite Community Centre on Bank Gate supports local groups, meetings, and events, while The Civic Hall on New Street, operated by the Civic Hall Trust, offers further space for public gatherings and community activities.

The statement considers that there is no evidence of ongoing demand for its continued use as a place of worship or community facility.

It is considered that there is no evidence to the contrary available to the LPA which sufficiently refutes the assertion made by the applicant in relation to their consideration that there is no longer a need for the facility and all options including the scope for alternative community uses have been considered.

In this case, given the length of time since the sale and having regard to alternative provisions in the locality it is concluded that refusal on the basis of loss of a community asset could not be justified in this case and the proposal satisfies the requirement of police LP48(a) having regard to the submitted detail and fact ownership of the building has recently changed with the church selling the building.

It is therefore considered that when weighing up the resultant additional housing provision which would be provided and the fact the building is currently vacant and has been for some time, it is considered the principle of the development is acceptable in this case and accords with the aforementioned policies.

2 – Impact on character and appearance of the area (including impact upon historic environment):

Visual Amenity

Local Plan Policies LP1, LP2, LP11 and LP24, are all also relevant. In addition principles 2, 13, 14 and 15 of the Housebuilders Design Guide would be considered of relevance.

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.”

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

Policy LP24 states that proposals should promote good design by ensuring:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

Principle 2 of the Kirklees Housebuilders Design Guide SPD states that: *“New residential development proposals will be expected to respect and enhance the local character of the area by:*

- *Taking cues from the character of the built and natural environment within the locality.*

- *Creating a positive and coherent identity, complementing the surrounding built form in terms of its height, shape, form and architectural details.*
- *Illustrating how landscape opportunities have been used and promote a responsive, appropriate approach to the local context.”*

In addition to this, Principle 15 states that the design of the roofline should relate well to site context. Further to this, Principle 13 states that applicants should consider the use of locally prevalent materials and finishing of buildings to reflect the character of the area, whilst Principle 14 notes that the design of openings is expected to relate well to the street frontage and neighbouring properties.

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. This is echoed within policy LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

Paragraph 212 of the NPPF states: *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation...”*

This is further supported by paragraphs 213 – 215 of the NPPF, which outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this weight should be weighed against the public benefits of the proposal.

LP35 of the Kirklees Local Plan requires that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets.

The scheme is set out, in detail, in ‘The Proposal’ section of this report and it is not considered necessary to repeat again here.

The response of the Conservation and Design Team and rebuttal of the applicants’ agent is set out in the ‘Consultations’ section of this report.

Weight is afforded the fact the development would provide additional housing and provide a level of contribution to the lack of housing supply within the

district. Furthermore, the proposal would see a currently vacant building brought into use. The provision of solar panels would assist in the Council's commitment to seeking to address climate change.

The proposal would introduce features to the building which are considered to lead to less than substantial harm. There are factors considered to constitute public benefits which weigh in favour of the development to outweigh the harm and the content of the 11th August letter sets out the rationale behind why suggestions of the Conservation and Design Team are not able to be incorporated.

In assessing any application which leads to a level of harm to the Conservation Area, the LPA is required to balance the harm against other factors which weigh in favour of the development and whether these outweigh the harm. It is noted a level of intervention has been undertaken to the building already, with UPVC windows in place. In addition, the building is vacant and will provide housing in a sustainable location. The renewable energy generation technologies incorporated in the design, would assist in addressing impact of the development in terms of carbon reduction. The enlarged openings would provide a better outlook for occupiers of the development and would also improve light provision, having an improved impact in terms of the residential amenity of future occupiers.

On balance, whilst it would have been preferable for further amendment to the scheme which achieved the recommendations of the Conservation and Design Team, the level of less than substantial harm which is caused is considered to be outweighed by the factors in favour of the development.

This conclusion is on the basis conditions are recommended to be included in the event that planning permission be approved, to ensure the development is undertaken in accordance with the submitted details and which also requires the solar panels are black and do not lead to glare.

Having regard to the extent of works internally which can be carried out in any event without the need for permission, it is considered that it would be unreasonable of the LPA to include the conditions recommended relating to recording of the building. In addition, whilst it would be of benefit in terms of conservation of the building, it is considered that given the removal of internal features can be undertaken in any event, it would be unreasonable of the LPA to require, as a condition, a scheme to be submitted which details how they would be incorporated into the development.

External works to the building would see demolition and require works to the walls. A condition requiring materials of construction used in relation to any

external works match the existing building is recommended. In addition, a condition requiring the materials of construction to be those as annotated upon the plans is recommended to ensure the visual impact of the building is acceptable, these will include dark grey doors and window frames and bin store and use of aluminum for the bin store.

No details relating to artificial lighting have been provided as part of this application. The visual impact of the development could be significantly increased as a result of artificial lighting being implemented to the building. It is therefore recommended that should planning permission be granted, a condition be imposed which requires details of artificial lighting to be agreed and implemented.

Given the distance of the development from nearby listed buildings, and the extent of the proposal in terms of alterations to the existing building, it is considered the proposal would not lead to harm to the setting of a listed building. As set out above, the proposal is considered to lead to less than substantial harm for which there are public benefits to outweigh this harm. The proposal is therefore concluded acceptable with regard to the aforementioned policies and to meet the requirements of sections 66(1) & 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

3. Impact on Residential Amenity

Policy LP24 of the Kirklees Local Plan, Principles 6, 16 and 17 of the Councils adopted Housebuilders Design Guide SPD (2021) and policies within Chapter 12 Of the NPPF are relevant.

Section B of Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring: *“They provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings”*.

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Principle 17 of the Council’s adopted House Builders Design Guide Supplementary Planning Document (SPD) requires development to ensure an appropriately sized and useable area of private outdoor space is retained.

Principle 16 of the Housebuilders Design Guide seeks to ensure the floorspace of dwellings accords with the 'Nationally Described Space Standards' document (March 2015).

The development would see two of the dwellings with private amenity space within a lower part of the site. It is acknowledged this would be in a lower part of the site and have high walls enclosing this space, however it is considered that it would be private and accord with principle 17 of the Housebuilders Design Guide in this case.

A number of the other apartments would not benefit from private amenity space, although would benefit from the shared external spaces. The extent of amenity space provision is considered to be commensurate to the size of the dwellings which are proposed, having regard to the proximity of the site to other areas of public open space it is considered that the development would be acceptable in terms of amenity space provision.

The development would provide accommodation which meets the requirements of the NDSS and principle 16. Specifically, the requirements (as a minimum) are 61m² for a 2 bed dwelling across one storey and 70m² for a 2 bed dwelling across 2 storeys.

In this case the apartments would be as follows:

- Unit 1, 2.no bedroom property across one storey, providing 64.8m² of floor space.
- Unit 2, 2.no bedroom property across one storey, providing 65.2m² of floor space.
- Unit 3, 2.no bedroom property across two storeys, providing 83.9m² of floor space.
- Unit 4, 2.no bedroom property across one storey, providing 65.6m² of floor space.
- Unit 5, 2.no bedroom property across one storey, providing 65.7m² of floor space.
- Unit 6, 2.no bedroom property across one storey, providing 65.6m² of floor space.
- Unit 7, 2.no bedroom property across one storey, providing 65.7m² of floor space.

The proposal would see openings to all elevations. To the north no other properties are opposite and the proposal would not have a significant impact in relation to overlooking from this elevation.

Openings to the south western and north eastern (side) elevations would not significantly overlook neighbouring occupiers in the locality given the fact they face a blank elevation to the property to the south west (and along the street beyond) and the orientation of openings in the north eastern (side) in relation to the rear openings in the property to the north east are such that they would not significantly directly overlook one another. Therefore, it is considered there would not be a significant level of overlooking arising from openings to the side elevations.

In terms of openings in the front, these would face a building which is not in residential use, although a dwelling is to the south east off set from the front of the building the subject of this application and at a distance of 15m. It is considered that, on balance, given the off set of this property in relation to the host property, the impact of overlooking to the nearest residential property opposite the front elevation would not be of such significance as to warrant refusal in this case.

The proposal would not lead to any impact in terms of oppressive / overbearing or overshadowing given the only external alterations would be to remove part of the built form of the building and/or alter the fenestration detail of the building.

Noise

Policy LP52 is considered to be of relevance and sets out that development must be considered in relation to potential for increases from pollution, in this case the relevant possible increases could relate to noise, light & odour emissions.

As part of this application a noise assessment (ref: 0105251) has been submitted. This concludes that following a noise and vibration monitoring at the site on 14th / 15th May, it has been determined that noise affecting the development would be from road / rail sources. A glazing and ventilation scheme is set out in the assessment to ensure that internal noise levels are within recognised guidelines. Part 4.2 of the noise report sets out a glazing and ventilation scheme.

Taking account of the submitted detail it is considered the impact of the development would be acceptable in relation to noise, subject to inclusion of a condition requiring the development to be undertaken in accordance with the scheme set out in part 4.2 of the submitted noise assessment.

Subject to inclusion of an appropriately worded condition to ensure this is the case, the proposal is considered to be acceptable taking account of noise.

4. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF 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 and Key Design Principle 15 of the adopted House Extensions & Alterations SPD which seek to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

The application has been submitted with an accompanying site accessibility audit (ref: J000596-SR01). This concludes that the application site at Carr Lane represents a suitable location for residential development, being situated within an existing mature residential area and within a practical walking and cycling distance of a local bus connection, rail station and a range of everyday local shops, services & facilities.

The site is a vacant church, which can be brought back into use in any event. The use class of a Church is use class F1 of the Town and Country Planning (Use Classes Order) 1987 (as amended) and includes a building used for provision of education, display of art, museum, public library / reading room, public hall / exhibition hall and or a law court. The fact there is a realistic fall back that the building could be utilised for such a use in the event the LPA were to refuse permission for the development proposal is a factor which is a consideration material to the determination of this application.

Advice provided by the Highways Team sets out that the site is located close to Slaithwaite Town Centre on Carr Lane approximately 60m from the junction with Station Road. There are existing footpath links from the Church and Sunday School through to Station Road to the rear of the site.

In addition, they confirm that on-street parking along this section of Carr Lane is controlled by single yellow line, no waiting Monday to Saturday 8am to 6pm restrictions to the southern side and 1 hour return restriction between 8am to 6pm within marked parking bays to the northern side. There is a bus stop located directly in front of the site on the southern side of Carr Lane and within approximately 40m on the northern side. Slaithwaite Railway Station is located along Station Road approximately 240m from the site.

Overall, the Highways Team concluded that the proposal would be acceptable having regard to the fact the application site is within a practical walking and cycling distance of a local bus connection, rail station and a range of everyday local shops, services and facilities.

They confirm that a communal bin collection point will be required to allow bins to be presented and collected on collection day without obstructing the footway along Carr Lane.

Third party representations have been received, which are summarised within the 'Representations' section of this report and it is not considered necessary to repeat them here.

Weight is afforded to the response of the Highways Team, the realistic fall-back position in terms of the existing use of the building which could potentially take place in any event as well as the fact the proposal would contribute to providing residential accommodation in light of the Council's identified lack of 5 year housing land supply.

It is considered there is no realistic reason to not consider that occupiers of the proposed development would utilise public transport, pedestrian or cycle methods of transport in this case and that refusal on such a basis could not be substantiated.

The impact of the development in terms of additional parking demand in the locality is not considered to be substantially different to that which the existing use or alternative uses within use class F1 could have. On street parking demand is acknowledged to result for occupiers of the development, although it is considered this impact would not be to such an extent that a refusal on such a basis could be substantiated given the realistic fall back position which exists.

The construction phase of the development is not considered to be of a significant impact in terms of vehicular parking over and above that of the existing / fall back uses or the proposed use and restrictions in relation to operatives linked to the construction phase is not considered to be reasonable in this case taking account of the scale of the development.

It is considered appropriate that conditions are included in the event that planning permission be approved to require the scheme to be undertaken in accordance with the submitted details to ensure the waste arrangements are undertaken in accordance with those as set out.

On the basis the scheme is undertaken as proposed, it is considered the impact upon access and highway safety would not be significant and refusal on the basis of such impact could not be substantiated in this case taking account of the existing use and realistic alternative uses which could be undertaken in any event.

5. 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.

Principle 18 of the Housebuilders Design Guide sets out that new proposals should contribute to the Council's ambition to have net zero carbon emissions by 2038, with high levels of environmental sustainability by ensuring the fabric and siting of homes, and their energy sources reduce their reliance on sources of non-renewable energy. Proposals should seek to design water retention into proposals.

As part of the application a climate change statement has been submitted, which sets out a number of measures to be incorporated, these being as follows:

- Installation of double-glazed windows
- Insulation to improve U-values of the walls, roof and floors,
- Incorporate roof-mounted solar panels to generate renewable energy on-site
- Use of existing on-site materials gathered through limited demolition activities
- Water-efficient fixtures and fittings will also be incorporated

Considering the scale and nature of the proposed development and measured intended to be incorporated it is considered the proposal would have an acceptable impact in relation to sustainability. The proposal is therefore concluded to accord with the aforementioned policies in this regard.

6. Other Matters

Ecology

The application form sets out the consideration that the proposal is subject to the de minimis exemption

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

Turning to policy requirements for biodiversity.

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

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

Principle 7 of the Housebuilders Design Guide Supplementary Planning Document is also of relevance. Which seeks to ensure existing features such as trees, habitats and landscape features are retained. Principle 9 requires that net gains in biodiversity are provided.

The Biodiversity Net Gain Technical Advice Note sets out that minor developments are subject to the mitigation hierarchy outlined within Chapter 2.2 and will still be required to demonstrate a net gain for biodiversity. Chapter 2.2 of the advice note details a mitigation hierarchy of avoid, mitigate, compensate, offset and finally enhance.

A Preliminary Ecological Appraisal has been submitted as part of the application. This concludes that no habitats of conservation concern were located on the site itself.

In terms of birds, the submitted appraisal considers that any works to the highest point of the main roof at the front of the site, or the adjacent chimney, should be avoided.

Due to the low potential of the building for roosting bats, a minimum of one bat emergence survey is required. The survey should be conducted during the bat activity season, which spans from May to September. The surveys will determine the presence or absence of bats and the use of the site by foraging individuals.

Finally, a number of measures for invertebrates is suggested within the submitted document.

Given the scale of the proposed development and fact there is considered to be a low potential of the building hosting roosting bats, it is considered that in this case it is proportionate and appropriate that an informative be appended to any grant of permission. Whilst a further survey is recommended it is considered that given the protection of bats in law, should any be encountered during the construction phase, it is not considered to be necessary to require further survey work as a condition upon any grant of permission. Although the undertaking of such a survey may be of benefit to inform the construction phase, it is considered that subject to inclusion of the recommended informative the proposal would be acceptable in this regard.

In terms of biodiversity enhancement, given the setting of the site within the Conservation Area it is not considered appropriate to require a bat box to be provided in this case and the extent of the soft landscaping is considered to contribute to an extent in this regard. As such it considered the development would have an acceptable impact having regard to the aforementioned policies.

No details relating to artificial lighting have been submitted. To ensure any lighting has an acceptable impact upon bats, a condition is recommended to be included requiring any lighting is first subject to a scheme which has been submitted to, and agreed in writing by, the LPA.

On the basis of inclusion of the recommended informative note the proposal is considered to meet the requirements of the aforementioned policies.

7. Representations

The following representations have been received in objection to the development:

- Seems Churlish / foolish to assume residents would be reliant on public transport infrastructure
- Likely that occupants will not solely rely on cycles for journeys and would utilise private cars
- The occupiers of the proposed development are likely to be more affluent and there would potentially be 2 cars per apartment as a result
- Strain caused as a result of additional on street parking associated with the development would likely result in conflict between residents.
- The existing parking situation is already dangerous on the streets
- Little parking availability to accommodate residents / construction vehicles

- Consider the scheme should be refused on basis there is no provision for parking
- Local roads are often heavily dominated by on street parking, especially since parking charges introduced to nearest car parks.
- Skips and waste removal vehicles during construction will be unable to be accommodated.

Officer Response: The above listed objections are addressed within section 4 of this report.

- No planning notices have been posted in the locality

Officer Response: Site notices were put in place on both Station Road and Carr Lane on 20th June 2025.

8. Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered, the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation: Delegated Powers

Application Number: 2025/91506

Officer Recommendation: Conditional Full Permission

Conditions

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 (as amended).
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 accord with Policies LP1, LP2, LP3, LP7, LP11, LP21, LP22, LP24, LP28, LP30, LP35 and LP52 of the Kirklees Local Plan, Principles 4, 5, 6, 12, 13, 14, 15, 16, 17 and 19 of the Councils adopted House Builders Design Guide, the Council's adopted Highways Design Guide and the policies within Chapters 2, 4, 5, 11, 12, 14, 15 and 16 of the National Planning Policy Framework

3. The areas annotated 'reclaimed stone' upon drawings AL(05)125 P1 & AL(05)122P1 shall externally faced with natural stone that has been reclaimed from the section of the demolished section of the building and/or match that of the existing building in all respects and be retained thereafter.

Reason: To ensure an acceptable visual appearance of the development and preserve the setting of the Conservation Area to accord with policies LP24 and LP35 of the Kirklees Local Plan, Principles of the Housebuilders Design Guide and policies contained within Chapters 12 and 16 of the National Planning Policy Framework and pursuant to the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The materials of construction and colour finishes of the development hereby approved shall be in accordance with those as set out upon submitted drawings referenced AL(05)125RevP1, AL(05)123RevP1, AL(05)122RevP1, AL(05)121RevP1, AL(05)120RevP1, AL(05)124RevP1. The development shall not be brought into use until it has been completed with the materials of construction and colour finishes as set out upon submitted drawings referenced AL(05)125RevP1, AL(05)123RevP1, AL(05)122RevP1, AL(05)121RevP1, AL(05)120RevP1, AL(05)124RevP1 which shall thereafter be retained.

Reason: To ensure the development has an acceptable visual impact and in the interest of preserving the historic and architectural interest/setting of the heritage asset to accord with policies LP24 and LP35, policies within Chapters 12 and 16 of the National Planning Policy Framework and pursuant to the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. No external artificial lighting shall be erected within the site, unless and until details of size, location, orientation, lighting level and any associated fixing apparatus have first been submitted to and agreed in

writing by the Local Planning Authority. The submitted scheme shall demonstrate conformance with established guidance document Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night. The submitted scheme shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. No external artificial lighting shall be erected within the site other than that which has been approved by this condition which shall be retained thereafter.

Reason: In the interests of biodiversity and to ensure the development has an acceptable visual impact and in the interest of preserving the historic and architectural interest/setting of the heritage asset to accord with policies LP24, LP30 and LP35 of the Kirklees Local Plan and policies within Chapters 12, 15 and 16 of the National Planning Policy Framework.

6. All glazing and ventilation shall be in accordance with part 4.2 of the submitted noise assessment (ref: 0105251).
Reason: To ensure the development has an acceptable impact for future occupiers as a result of noise to accord with policies LP21 and LP52 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

7. The solar panels upon submitted plans AL(05)113RevP1 & AL(05)121RevP1 hereby approved shall be constructed using black glass and black frames only and retained as such thereafter.
Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset to accord with policies LP24 and LP35, policies within Chapters 12 and 16 of the National Planning Policy Framework and pursuant to the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. The solar panels upon submitted plans AL(05)113RevP1 & AL(05)121RevP1 hereby approved shall be non-reflective and retained as such thereafter.
Reason: In the interest of preserving the historic and architectural interest/setting of the heritage asset to accord with policies LP24 and LP35, policies within Chapters 12 and 16 of the National Planning Policy Framework and pursuant to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. The development shall not be brought into use until the waste storage area annotated 'Refuse' and shaded in light grey upon submitted drawing ref: AL(05)110RevP1 has been provided for the use of all occupiers of the development hereby approved. The waste storage

area shall thereafter be retained for the storage of wastes only and for use by all occupiers of the development hereby approved.

Reason: To ensure adequate waste storage arrangements are provided in the interests of residential amenity and access and highway safety to accord with policies LP21 and LP24 of the Kirklees Local Plan, principle 19 of the Housebuilders Design Guide SPD and policies within Chapters 9 and 12 of the National Planning Policy Framework.

10. The development shall not be brought into use until the cycle storage area annotated '7 cycle spaces' and shaded in light grey upon submitted drawing ref: AL(05)1109RevP1 has been provided for the use of all occupiers of the development hereby approved. The cycle storage area shall thereafter be retained for the storage of cycles only and for use by all occupiers of the development hereby approved.

Reason: To ensure adequate cycle storage arrangements are provided in the interests of providing sustainable modes of transport and access and highway safety to accord with policies LP20, LP21 and LP24 of the Kirklees Local Plan, and policies within Chapter 9 of the National Planning Policy Framework.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulations of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Existing Location Plan	AL(05)001RevP1	6 th June 2025
Basement Demolition Plan	AL(05)029RevP1	6 th June 2025
Existing Front Elevation	AL(05)024RevP1	6 th June 2025
Existing Front Elevation	AL(05)020RevP1	6 th June 2025
Existing Rear Elevation	AL(05)022RevP1	6 th June 2025
Existing Side (East) Elevation	AL(05)023RevP1	6 th June 2025
Existing Side (East) Elevation 2	AL(05)025RevP1	6 th June 2025
Existing Side Elevation	AL(05)021RevP1	6 th June 2025
Existing Ground Floor Plan	AL(05)010RevP1	6 th June 2025
Existing First Floor Plan	AL(05)011RevP1	6 th June 2025

Plan Type	Reference	Date Received
Existing Basement Plan	AL(05)009RevP1	6 th June 2025
Existing Roof Plan	AL(05)012RevP1	6 th June 2025
Basement Demolition Plan	AL(05)029RevP1	6 th June 2025
Ground Floor Demolition Plan	AL(05)030RevP1	6 th June 2025
First Floor Demolition Plan	AL(05)031RevP1	6 th June 2025
Proposed Front Elevation	AL(05)120RevP1	6 th June 2025
Proposed Front Elevation (02)	AL(05)124RevP1	6 th June 2025
Proposed Rear Elevation	AL(05)122RevP1	6 th June 2025
Proposed Side (East) Elevation	AL(05)125RevP1	6 th June 2025
Proposed Side (East) elevation 01	AL(05)123RevP1	6 th June 2025
Proposed Ground Floor Plan	AL(05)110RevP1	6 th June 2025
Proposed First Floor Plan	AL(05)111RevP1	6 th June 2025
Proposed Second Floor Plan	AL(05)112RevP1	6 th June 2025
Proposed Basement Floor Plan	AL(05)109RevP1	6 th June 2025
Proposed Roof Plan	AL(05)113RevP1	6 th June 2025
Proposed Section A-A	AL(05)130RevP1	6 th June 2025
Climate Change Statement		6 th June 2025
Preliminary Ecological Appraisal dated 13 th March 2025		6 th June 2025
Heritage Statement	Issue P1	6 th June 2025
Site Accessibility Audit	J000596-SR01	6 th June 2025
Noise Impact Assessment	0105251	6 th June 2025
Planning Statement	P25-0766	6 th June 2025
Design and Access Statement		6 th June 2025
Application Form		6 th June 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 2015 and otherwise actively engaged with the applicant in dealing with the application. Further information was requested, and subsequently submitted, following receipt of the response of the Council's Conservation and Design Team.

Coal – low

