

**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:	2025/62/91629/E
Site Address:	Jamia Masjid Ghousia, 23, Warren Street, Savile Town, Dewsbury, WF12 9LU
Description:	Erection of single storey front extension with loft conversion and associated alterations
Recommending Officer:	Edward Cheseldine

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: 2-Sep-2025

Officer Report

2025/91629 - Jamia Masjid Ghousia, 23, Warren Street, Savile Town, Dewsbury, WF12 9LU

Site Description

23 Warren Street is a place of worship, which currently appears as a two-storey building constructed with stone exterior materials and a pitched roof. The building is attached to a residential dwelling on the west elevation and another place of worship on the east side. Features include a central circular column and single-storey projection on the front elevation. Warren Street is a residential area with terrace type houses. There is also an education centre to the north-east and the adjacent place of worship.

Application Description

The application is seeking planning permission for a single-storey front extension, loft conversion and associated alterations.

The single-storey extension will project 2.65m from the existing front elevation, to a width of 5.00m with an eaves height of 3.70m and a ridgeline height of 4.50m. In addition, the existing front extension will be extended to the boundary, with an eaves height of a 3.70m and a maximum height of 4.50m, it will continue the form of this projection.

The front extension will house a wash room.

External alterations include window alterations to include pointed arches. Two dormers will be installed, the minaret dorm will be placed on the roof with the circular column removed. A new window will be installed on the east side of the ground-floor to light a hallway.

An access ramp will also be installed on the east side of the building.

On the rear elevation, 3 windows will be removed and closed up.

Amendments/Negotiations

Additional plans were requested to illustrate the gradient of the access ramp for accessibility. The ramp will be 1:12 which is a suitable gradient. The applicant was requested to provide information in relation to the existing use of the building and the function of the wash room for the purposes of assessing the impact to highway safety.

Public Representations

The application was advertised by way of a site notice, which expired on the 08-Aug-2025. As a result of the publicity, no representations were made.

Relevant Planning History

The applicant has benefitted from a pre-application letter which was dispatched in April 2025. Advice was sought for a proposal to include a front extension for a body wash room.

2015/92174 - Demolition of existing dwelling and erection of three storey extension and internal alterations to extend existing mosque – Permission granted.

Consultations Responses

KC Highways – No objection to development. Informal consultation held.

KC Environment Health – Consulted at pre-application stage. Recommended an unexpected ground contamination condition.

Policy & Legislation

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 unallocated on the Kirklees Local Plan Proposals Map.

Kirklees Local Plan (LP):

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP 21** – Highway Safety
- **LP 22** – Parking Provision
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity
- **LP 48** – Community facilities and services
- **LP 51** – Protection and Improvement of Local Air Quality

- **LP 52** – Protection and Improvement of Environmental Quality
- **LP 53** – Contaminated and Unstable Land

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.

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 8** – Promoting Health and Safe Communities
- **Chapter 9** – Promoting Sustainable Transport
- **Chapter 11** – Making Efficient Use of Land
- **Chapter 12** – Achieving Well-Designed Places
- **Chapter 14** – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- **Chapter 15** – Conserving and Enhancing the Natural Environment

Other Material Considerations

- Kirklees Highways Design Guide SPD (2019).
- Waste Management Design Guide for New Developments (Version 5, October 2020).
- Gov Uk Biodiversity Net Gain Technical Guidance (2023).

Assessment

The following matters are considered in the assessment below –

- 1) Principle of Development
- 1) Impact on Visual Amenity
- 2) Impact on Residential Amenity
- 3) Impact on Highway Safety
- 4) Environmental issues
- 5) Conclusion

Principle of development

Sustainable Development

NPPF Paragraph 11 and 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 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be assessed.

The site is UNALLOCATED on the KLP Policies Map. Policy LP2 states that:

“All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...”

The application building is used as a mosque which has community benefits. LP48 outlines that proposals will be supported for development that protects, retains or enhances provision of existing community spaces. The benefits of an extension to an existing building are weighed against the other national and local policies that reflect the presumption in favour of sustainable development contained in the NPPF.

Impact on Visual Amenity

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places and beautiful 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.

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...”

The development includes visual changes to the front façade of the building which faces onto Warren Street. Alterations include the modification of window openings to pointed arch windows, window dormers and changes to the minaret. The building is used as a place of worship, in addition, Warren Street includes residential terrace houses which are simplistic in appearance. The visual alterations will change the character of the building by adding decorative details to the front façade. These alterations amount to an acceptable level of visual details. They are characterful and well-proportioned to the host building. Dormers are subservient to the roof. Details will be finished with stone works to match the existing building.

In terms of the front extension, it sits in a central position being set in from the sides. It has a short forward projection and the height meets the top of the single-storey mono pitched roof.

In terms of a visual assessment, the plans accord with LP24 of the Kirklees Local Plan.

Impact on Residential Amenity

Section B of LP24 states that alterations to development buildings should:

“provide a high standard of amenity for future and neighbouring occupiers;”

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.

Impact on 19 Warren Street

This dwelling adjoins the application building to the west. It is a terrace type property. In terms of privacy, there will be no changes to the existing relationship. New windows will be installed on the front elevation, these will have an angled view of the front outdoor area, however given the existing outlooks, it will not impact privacy.

In terms of a loss of outlook or light, the front extension is set in from the side of the building by 5.80m, it is single storey with a pitched roof. Due to the placement and scale, the front extension will not result in a loss of light or outlook to other properties.

16-22 Warren Street

These properties are on the other side of Warren Street. In terms of privacy, there are new front facing windows with a direct outlook towards these properties. The distance from the new ground-floor window will be 20.00m. It will light a hallway. Given the distance and use, it is not considered there will be an impact to the residents of 16-22 Warren Street. New dormer windows will be 23.00m away from these properties, which due to distance, will not result in a loss of privacy. The extensions will not result in a loss of light or outlook.

118 Savile Road

The outdoor area of this property is located behind the application building. The proposal will result in the closure of three windows due to the internal alterations which is suitable given the relationship with 118 Savile Road. Due to the location of extensions there will not be a loss of light or outlook.

Impact on Highway Safety

Policy LP21 states all proposals should ensure the safe and efficient flow of traffic within the development and on the surrounding highway Network.

Policy LP22 and the Kirklees Highways Design Guide Supplementary Planning Document are relevant insofar as they relate to parking provisions.

The extension will house a wash room with facilities ancillary to the existing function of the building. The applicant has demonstrated the function of the building accommodates part of the funeral process and the new room is an addition that aides in processes already undertaken. KC Highways were consulted as part of the application process. They concluded that given the continued function of the building, there would not be an additional impact to current parking/use of the building. In addition, bin storages and collection points are in a suitable location. They had no objection to the proposal.

Environmental Matters

Biodiversity Net Gain

Paragraphs 187, 193, 194 and 195 of 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.

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 exemptions as set out by The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

The applicant has indicated on the planning form the application would be exempt from providing a habitat uplift as the development falls under the de minimis exemption category. An extension will be formed over an area of hardstanding material. Officers agree the application falls under one of the listed exemptions.

Ecology

The application site is not within a bat alert layer according to the Council's GIS mapping systems. Nevertheless, works consist of an extension to the main roof where bats may roost. Bats are a protected species, therefore an informative note will be added to the decision notice, that if evidence of bats are uncovered, works must cease and the advice of a qualified professional sought.

Land Contamination

Policy LP53 of the Kirklees Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

KC Environmental Health were consulted at pre-application stage. Given the similarity in the plans and use of the building, their advice has been followed for this application.

The site of the proposed development is within a zone of influence for a historic landfill site and the wider area has an industrial heritage. Groundworks are proposed therefore a condition in relation to unexpected contamination will be applied to the decision notice.

Access

LP24f of the Kirklees Local Plan states ‘the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places’.

The alterations include a ramped access which is 1:12 gradient. The new ramp is suitable to provide access to the main building.

Carbon Budget

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.

Conclusion

The application for extensions & alterations at 23 Warren Street has been assessed against relevant policies in the development plan as listed in the policy section of the report, including the Kirklees Local Plan and the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed extension is considered to be acceptable.

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.

As set out above, 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

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 Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the aims of chapter 12 of the National Planning Policy Framework.

4. Condition If contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 198 of the National Planning Policy Framework.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: Due to its location, a roost may be present on site. Bats are a European species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone to intentionally 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 bats are present or not. If bats are discovered on site, development shall cease, and the applicant is advised to contact Natural England for advice.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 07.30 and 18.30 hours, Mondays to Fridays 08.00 and 13.00hours, Saturdays, with no working Sundays or Public Holidays. In some cases, different site-specific hours of operation may be appropriate.

Plans and specifications table: -

Plan Type	Reference	Version	Date Received
Location Plan and Site Plan	AR-01	-	17 June 2025
Existing & Proposed Elevations	AR-05	-	17 June 2025
Existing & Proposed Roof Plans	AR-04	-	17 June 2025
Existing Floor Plans	AR-02	-	17 June 2025
Existing & Proposed Floor Plans	AR-03	-	17 June 2025
Ramp Elevations Plans	AR-06	-	15 July 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 has, 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.

Additional plans were requested to illustrate the gradient of the access ramp for accessibility. The ramp will be 1:12 which is a suitable gradient. The applicant was requested to provide information in relation to the existing use of the building and the function of the wash room for the purposes of assessing the impact to highway safety.