

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended) – SECTION 73**

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS TO  
CARRY OUT DEVELOPMENT WITHOUT COMPLIANCE WITH PLANNING  
CONDITIONS PREVIOUSLY ATTACHED**

Reference No:	<b>2025/70/92331/W</b>
Site Address:	Almondbury Working Mens Club, Southfield Road, Almondbury, Huddersfield, HD5 8RY
Description:	Variation of conditions 2 (plans), 3 (use of floors) and 4 (operating hours) of previous permission 2025/90480 for 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 – VARIATION OF CONDITIONS APPROVED**

**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.**

Emma Thompson

***AUTHORISED OFFICER***

Date: 28-Oct-2025

## Officer Report

### 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 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 convenient store is located a short distance north of the application.

### Description of Proposal

Planning permission is sought for the variation of conditions 2 (plans), 3 (use of floors) and 4 (operating hours) of previous permission 2025/90480 for change of use of from working men's club to mixed use event hall (Sui Generis) incorporating Class E spaces and associated works.

Condition 2 of previous permission 2025/90480 reads as follows:

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."*

Since the original approval, the proposal seeks the following alterations:

- Alter the internal floor plans via internal partitions at ground floor
- Insert new windows and doors to the front and rear elevation, and erection of rear stairwell and railings.
- Roller shutters to the ground floor fenestrations
- An outdoor play area to the front of the building for the proposed nursery use - On site parking will be reduced as a result

Condition 3 of previous permission 2025/90480 reads as follows:

2. *"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 of 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.”*

The applicant seeks to introduce a nursery at ground floor level within the identified areas labelled ‘shop 2 & 3’. As such condition 3 would require to be reworded so that the proposed nursery (Ef) use class is included to ensure its operation is lawful.

Condition 4 of previous permission 2025/90480 reads as follows:

3. *“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.”*

The applicant seeks to introduce a nursery at ground floor level within the identified areas labelled ‘shop 2 & 3’ and to allow the operation hours of the nursery to operate between the hours of 07:30 to 18:30. As such condition 4 would require to be reworded so that the proposed nursery (Ef) use class is included to ensure its operation is lawful.

### **History of negotiations/amendments received**

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2024 encourages negotiation/engagement between Local Planning Authorities and agents/applicants.

The case officer altered the wording of the original proposal description to ensure the correct conditions applied to be varied were correct.

The agent also submitted revised plans to show the proposed planting in front of the outdoor play area, annotation on floor plans of where the proposed uses will be located and obscure windows to be inserted into the habitable windows along the rear elevation.

Revised plans were received to show details on the proposed 1.8m fence and introduction of bollards.

The agent updated the plans to show the inserted of a first-floor side/rear door and a stair well. The agent confirmed that this door has been inserted due to discussions with fire and safety we recommended that an emergency exit staircase and new door should be provided in case of emergencies. The agent has confirmed that the flat roof of the rear structure will not be used as a balcony or terrace and will only be used for emergency purposes.

### **Relevant Planning History**

2025/91727

Non material amendment to previous permission 2025/90480 for change of use of from working mens club to mixed use event hall (Sui Generis) incorporating Class E spaces and associated works  
Approved

2025/90480

Change of use of from working mens club to mixed use event hall (Sui Generis) incorporating Class E spaces and associated works  
Approved

### **Representations**

Final publicity date Expires:

The application was advertised by site notice. Final expiry date for the publicity was the 23<sup>rd</sup> October 2025.

4 letters of representation have been received. The comments have been summarised below:

- Addition of nursery will result in increased noise and traffic generation within the area.
- On-going construction works have damaged neighbouring properties.
- New windows will result in loss of privacy to neighbouring properties.
- Concern the new windows when open will result in increased noise and disturbance to the residential properties located adjacent due to the rooms being used by the nursery use proposed.
- A site visit should be conducted by the case officer to assess the distance between the existing rear wall of the building to residential

properties to fully assess the impact the proposal will have on nearby residential properties. The works will have a direct and disruptive impact on privacy, comfort and daily life of neighbouring properties.

- Concern that a rear door has been inserted to the building which does not have planning permission and is not shown on the original plans.
- Concern if the rear flat roof area will be used which would lead to overlooking impact.
- Outdoor play area is next to a busy road.
- Concern of windows/doors being used as a fire exit onto a flat roof which is not structurally sound.
- Concern if the rear area of the application site will be used for people to sit outside, and result in loss of privacy to neighbouring properties.
- The proposed nursery in this location would negatively affect existing childcare providers in the area as a new one would in close proximity could take away business, putting existing businesses at risk.

The above comments will be addressed within the appraisal of this report.

## **Consultation Responses**

KC Highways – no objections

KC Crime Prevention – Recommendations provided to reduce risk of crime. Recommendations include, a 1.8m high fence around the play area which is free from climbing aids, footholds and cross members, roller shutters to be of a minimum standard, and bollards to be installed around the perimeter of the out door play area.

Case officer comment: The agent submitted revised plans showing details of the 1.8m fence and roller shutters. Bollards have also been introduced as advised. The submitted plans are considered acceptable.

## **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

#### **Assessment**

The following matters that will be considered as part of the assessment of the proposal are set below:

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

#### **1. 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, office space and office space (Use Class E).

This variation of condition application proposes to include a nursery at ground floor level.

The new event hall and nursery will therefore both 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.

A sequential Change of use of building which includes Town Centre Uses – floor area of 7180m<sup>2</sup>

***Sequential & Impact test***

Due to the size and location of the building, this triggered policy LP14 (a) & (b) of the Kirklees Local Plan. A sequential test was submitted and the application was assessed to ensure the out of town centre uses would not result in a significant adverse impact on surrounding centres shall not be supported.

The LPA considered 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 Almondbruy 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 principle of the proposed development is therefore considered acceptable given the new use class falls within use class E also, providing a new community use to a currently vacant building. The proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety. These issues along with other policy considerations will be addressed below.

## **1. Impact on Visual Amenity and Historic Environment**

### Visual Amenity:

This application is to vary condition 2 (plans) on the previously approved scheme 2025/90480. The proposed changes seek the following:

- Alter the internal floor plans via internal partitions at ground floor
- Insert new windows and doors to the front and rear elevation, and erection of rear stairwell and railings.
- Roller shutters to the ground floor fenestrations
- An outdoor play area to the front of the building for the proposed nursery use - On site parking will be reduced as a result

The proposed internal alterations raise no concern and are therefore acceptable.

The proposed new fenestrations on the front and rear elevation are considered to keep in character with the fenestrations on the host building and therefore raises no visual concern. The proposed roof lights are considered visually acceptable.

The proposed rear door and proposed stairwell and railings are considered acceptable and necessary to ensure suitable fire safety exit routes are provided in emergency cases. It is also considered that this element of the

proposal would not result in detrimental visual harm to the character and appearance of the host building.

The proposed roller shutters to the front elevation of the fenestrations on the building will provide some securing to the commercial building and will only be shut when the building is not in use. The proposed roller shutters are therefore not considered to result in an adverse visual impact to the character of the host property or wider streetscape.

The proposed outdoor play area measures 7.6m (d) x 9.7m (w) and will be enclosed by a 1.8m fence with a planting buffer along the front elevation. The fencing and planting buffer is required for safeguarding. The proposed works are considered acceptable given that there is an historical precedent for an outdoor drinking area to the front of the site, as well as boundary treatments of fences with similar heights being located up to the pavement as seen along Southfield Road. The inclusion of a planted buffer along the front is also considered to soften the appearance of the outdoor play area to the front. As such, while the development will introduce a visual change to the street scene, the overall visual impact is not considered to result in adverse visual harm to the character of the streetscape.

As such, it is considered, subject to conditions imposed under the previous application, that the proposed development would not result in harm to residential amenity. The proposal therefore complies with Policy LP24 of the Kirklees Local Plan, Key Design Principles 1 & 2 of the Holme Valley Neighbourhood Development Plan and the aims of Chapter 12 of the NPPF.

## **2. 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.”*

### Insertion of rear windows and door

The applicant seeks to erect 4 additional windows to the rear elevation of the building, and a side door to the rear elevation of the building with a stair well.

The proposed two windows at ground floor level are indicated as obscure glazed and will a coffee shop and ‘room’. The proposed first floor windows will

serve a 'room' and 'in-suits'. The proposed first floor window serving a 'room' is annotated on plan to be obscure glazed.

All proposed rear windows are annotated as obscure glazed, and they will be non-opening below 1.7m.

As the proposed ground and first rear floor windows are obscure glazed, there will be no concern to loss of impact to the rear garden areas of No. 5 & 7 Sikes Close. The proposed first floor window serving a room will also be obscure glazed and as such raises no concern to loss of privacy to No. 5 & 7.

It is noted that a rear/side first door has been inserted as shown on the amended elevation plan with a stairwell and railings. The side door leads onto a flat roof. The agent has confirmed that this door has been inserted due to discussions with fire and safety it was recommended that an emergency exit staircase and new door should be provided in case of emergencies. The agent has confirmed that the flat roof of the rear structure will not be used as a balcony or terrace and will only be used for emergency purposes. This will be conditioned to ensure the flat roof is only used for fire emergencies.

#### Hours of use of the nursery

The proposed nursery use within the building seeks to operate between the hours of 07:30 to 18:30 Monday to Sunday. The proposed hours are considered to similar to that approved under the original application, with the coffee shop, retail units and office space being open from 08:00. As such the proposed hours of use does not raise concern to unacceptable levels of increased noise from the building. The proposed hours of use of the nursery will be conditioned and condition 4 will therefore be updated.

#### Nursery use

The operation of the proposed nursery (Ef) is considered acceptable and compatible with the other uses within the building as approved. As such condition 3 will be reworded to ensure the nursery use is included within the description at ground floor level.

Condition 6 of the original planning permission requires the applicant to submit a noise impact assessment 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. Condition 6 is still required to be discharged and as such a noise assessment and potential mitigation measures will be required to be submitted to the Local Planning Authority before the use of the building as a whole begins to operation in order to protect residential amenity of nearby residential properties.

#### Outdoor play area

The proposed outdoor play area is located close to residential properties. It is therefore considered necessary that the applicant submits a noise mitigation

scheme to ensure that the use of the outdoor play area is controlled and does not lead to a loss of amenity due to noise.

Subject to such aforementioned changes to conditions and a noise management plan condition, the development is considered to be acceptable in this regard and therefore accords with Kirklees Local Plan policy LP24 and LP52.

### **3. 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, which seeks to ensure acceptable levels of off-street parking, is also considered to be of relevance.

This application is to vary condition 2 (plans) on the previously approved scheme 2025/90480. The proposed alterations seek to introduce a play area to the front of the building which will result in the loss of on site parking spaces for the mixed use building.

KC Highways have been consulted and provide the following comments:

The proposed variation will remove 4 car parking spaces reducing the total number from 13 to 9.

In terms of traffic generation, the proposed use of a nursery is likely to generate similar vehicle trips to the existing use and the potential use from two shop units would have minimal traffic impact.

Although no information has been provided on the number of children or staff required for the nursery it is expected that 9 car parking spaces will still be adequate. A condition shall be re-imposed to ensure the 9 on site parking spaces are provided prior to the building being brought into use to ensure reduced on-street parking and to ensure the spaces are surfaced and drained. It is also noted that the site is located within a sustainable location with frequent and accessible bus routes.

As a result, the variation of condition is acceptable subject to the aforementioned conditions within the original planning permission, complying with Policies LP21 and LP22 of the Kirklees Local Plan.

### **4. Other Matters**

Matters relating to climate change, bats and ecology have been assessed under planning approval: 2025/90480 and as such no further consideration is required.

### **5. Representations**

4 letters of representation have been received. The comments have been summarised below:

- Addition of nursery will result in increased noise and traffic generation within the area.

Officer comment: This comment is noted. KC Highways have reviewed the proposal and do not consider the proposed nursery use or the loss of on-site parking to 9 spaces will result in unacceptable levels of traffic generation – This is further discussed within the highway safety section of this report. The proposed nursery use is not considered to result in unacceptable levels of noise. A noise impact assessment and noise mitigation scheme will be required to be submitted to the Local Planning Authority prior to the operation of the proposed use of the nursery and other businesses as approved. It is considered that these conditions which will be re-imposed and added, will ensure potential noise from the site is controlled to protect residential amenity of neighbouring residential properties.

- On-going construction works have damaged neighbouring properties.

Officer comment: This comment is noted, however it is not a material planning consideration. This is a private civil matter which should be discussed with the applicant.

- New windows will result in loss of privacy to neighbouring properties.

Officer comment: All new windows which serve habitable rooms to the rear elevation will be obscure glazed which mitigates any loss of privacy to the residential properties located to the rear of the site.

- Concern if the rear flat roof area will be used which would lead to overlooking impact.

Officer comment: It is noted that a proposed side first floor serving a kitchen has been inserted and the rear flat roof structure will be utilised as an access for evacuating the building when in terms of a fire emergency. The agent has confirmed that the flat roof of the rear structure will not be used as a balcony or terrace and will only be used for emergency purposes. This will be conditioned to ensure the flat roof is only used for fire emergencies.

- Concern the new windows when open will result in increased noise and disturbance to the residential properties located adjacent due to the rooms being used by the nursery use proposed.

Officer comment: This comment is noted. To ensure noise from the building is controlled and does not result in unacceptable noise levels above the existing background noise levels, a noise impact assessment is required to be submitted to the Local Planning Authority prior to the uses operating. Subject to the findings of the noise impact assessment, mitigation measures will be imposed. The requirement of a noise impact assessment is considered reasonable to ensure potential noise generated from the building is controlled.

- A site visit should be conducted by the case officer to assess the distance between the existing rear wall of the building to residential properties to fully assess the impact the proposal will have on nearby

residential properties. The works will have a direct and disruptive impact on privacy, comfort and daily life of neighbouring properties.

Officer comment: A site visit has been conducted, along with a full assessment of the submitted plans and information. As assessed within the appraisal section of the original application and this application, it is not considered that there will be any adverse impact on the privacy, comfort and daily life of neighbouring properties, with conditions in place which will ensure levels of noise from the building will be controlled, with noise mitigation measures where necessary. New rear windows will also be obscure glazed as indicated on the submitted drawings.

- Concern that a rear door has been inserted to the building which does not have planning permission and is not shown on the original plans.

Officer comment: This comment is noted and the agent has submitted revised plans showing the proposed rear door and associated works.

- Outdoor play area is next to a busy road.

Officer comment: This comment is noted, however KC Crime Prevention have no raised any concern with safety of children. It is also noted that sufficient screening will be implemented along the boundaries of the proposed play area to ensure the security of children.

- Concern of windows/doors being used as a fire exit onto a flat roof which is not structurally sound.

Officer comment: This comment is noted, however the structural stability of the flat roof to the rear of the building is not a material planning consideration, and will be covered by building control.

- Concern if the rear area of the application site will be used for people to sit outside, and result in loss of privacy to neighbouring properties.

Officer comment: The rear area of the application site will not be used for people to sit outside. It is also noted that the flat roof to the rear of the building will not be used as a terrace or balcony and will only be used as an exit route for fire emergencies.

- The proposed nursery in this location would negatively affect existing childcare providers in the area as a new one would in close proximity could take away business, putting existing businesses at risk.

Officer comment: This comment is noted however commercial competition between businesses of this use class (nursery) is not a material planning consideration and therefore cannot be afforded weight in the assessment of this application.

## **6. Conditions**

As this is a S73 (variation of condition) application, a review of all conditions upon the original consent is required to be undertaken. The following conditions were added to the previous permission 2025/90480:

1. The development hereby permitted shall be begun before ~~the date of this permission~~ 26-MAY-2028.

*This condition is recommended to be amended to align with the date of the original permission.*

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.

*This condition shall remain as worded.*

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 of 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), Class E (coffee shop, retail units and nursery)

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.

*This condition will be reworded to ensure the proposed nursery use is included.*

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

Community hall:

09:00 to 22:00 Monday to Sunday

Coffee shop, retail units, office space:

08:00 to 18:00 Monday to Sunday

Nursery:

07:30 to 18:30 Monday to Friday

*This condition will be reworded to ensure the proposed nursery use is included.*

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.

*This condition shall remain as worded.*

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.

*This condition shall remain as worded.*

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~~, No AR-05 Rev 01 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.

*This condition is recommended to be amended to align with the new parking area shown.*

8. Before the development is brought into use, a Noise Mitigation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the maximum number of children at any time within the outdoor play area as shown on Proposed Floor Plan ref: AR-05 Rev 01, and the reasonable steps to mitigate noise. The approved scheme shall be implemented before the development is brought into use and retained thereafter.

*The above condition will be implemented to ensure noise levels of the proposed outdoor play area are controlled to protect residential amenity of neighbouring occupants.*

9. The rear flat roof shall not be used as a balcony or terrace and will only be used as an exit route in the case of fire emergencies.  
*The above condition will be implemented to protect privacy levels of neighbouring occupants.*

## **7 – Conclusion:**

This application for variation of conditions 2 (plans), 3 (use of floors) and 4 (operating hours) of previous permission 2025/90480 for change of use of from working mens club to mixed use event hall (Sui Generis) incorporating Class E spaces and associated works at 17 Southfield Road, known as the Almondbury Working Mens Club, has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations.

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 it is, therefore, recommended for approval.

## **Decision Authorisation – Delegated Powers**

**Application Number: 2025/92331**

**Officer Recommendation: Approve**

## **Conditions and Reasons:**

1. The development hereby permitted shall be begun before 26 May 2028.  
**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.
1. 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.
2. 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 and nursery)

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.

3. 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

Nursery:

07:30 to 18:30 Monday to Friday

**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. 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.

5. 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).

6. 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-05, Rev 01, 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.

7. Before the development is brought into use, a Noise Mitigation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the maximum number of children at any time within the outdoor play area as shown on Proposed Floor Plan ref: AR-05 Rev 01, and the reasonable steps to mitigate noise. The approved scheme shall be implemented before the development is brought into use and retained thereafter.  
**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.

8. The rear flat roof shall not be used as a balcony or terrace and will only be used as an exit route in the case of fire emergencies.

**Reason:** In the interest of residential amenity and to protect the privacy of residential properties, to comply with the aims and objectives of Policies LP24 and LP24 of the Kirklees Local Plan and Chapter 12 of 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](mailto: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:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location plan			21/02/2025
Proposed Ground and First Floor Plans	AR-03	02	23/10/2025
Proposed Elevations	AR-04	03	23/10/2025
Proposed block plan	AR-05	01	23/10/2025
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 preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

The case officer altered the wording of the original proposal description to ensure the correct conditions applied to be varied were correct.

The agent also submitted revised plans to show the proposed planting in front of the outdoor play area, annotation on floor plans of where the proposed uses will be located and obscure windows to be inserted into the habitable windows along the rear elevation.

Revised plans were received to show details on the proposed 1.8m fence and introduction of bollards.

The agent updated the plans to show the inserted of a first-floor side/rear door and a stair well. The agent confirmed that this door has been inserted due to discussions with fire and safety we recommended that an emergency exit staircase and new door should be provided in case of emergencies. The agent has confirmed that the flat roof of the rear structure will not be used as a balcony or terrace and will only be used for emergency purposes.

Report Dated: 

23/10/2025
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