

**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:	2025/62/92473/E
Site Address:	Irish Democratic League Club, Churchfield Street, Batley, WF17 5DL
Description:	Installation of external staircase and alterations to create access door (within a Conservation Area)
Recommending Officer:	Elenya Jackson

DECISION – Conditional Full Permission

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

Sarah Longbottom

AUTHORISED OFFICER

Date: 07 November 2025

SITE DESCRIPTION

The Irish Democratic League Club was erected pre1955 and has previously been extended. It is predominantly two storeys with the south and east facing elevations faced in pebble dashed render. The other elevations, including where the proposed development is to take place, is faced in red brick.

The Club House is located within Batley Market Place Conservation Area, opposite the vicarage (a modern detached dwelling with no remarkable features) and the grounds of All Saints Church (Grade 1 listed).

DESCRIPTION OF PROPOSAL

The application is for the erection of an external staircase on the western elevation of the building and alterations to the first floor fenestration to change a window to a door.

HISTORY OF NEGOTIATIONS/AMENDMENTS RECEIVED

N/A

RELEVANT HISTORY

2014/62/92743/E: Installation of external staircase and alterations to change window to door (within a Conservation Area). Conditional full permission.

PUBLIC/MEMBERS RESPONSE

Final publicity date Expires (press notice & site notice):30.10.25

No letters of representation have been received in respect of this application.

CONSULTATION RESPONSES

KC Conservation and Design: The proposal is located in an area that has a neutral impact on the conservation area and the proposal would not be in a prominent location, therefore no further comments.

POLICY

The statutory development plan comprises:

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 located in the Batley Market Place Conservation Area.

Kirklees Local Plan (LP):

LP 1– Achieving sustainable development

LP 2 – Place shaping

LP 22 - Parking

LP24 – Design

LP 30 – Biodiversity and Geodiversity

LP 35 – Historic environment

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024 together with Circulars, Parliamentary Statements and associated technical guidance

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

- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding & coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

ASSESSMENT

Principle of development:

Sustainable development

Sustainable Development

Policy LP1 of the Local Plan states that when considering development proposals, the council will take a positive and proactive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

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”*.

Key Design Principles 1 and 2 of the House Extensions and Alterations SPD have been used as a guide in considering the proposal’s visual amenity impact on the street scene and host.

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.

Heritage

The site is within Batley Market Place Conservation Area. Section 72 of the Listed Buildings & Conservation Areas Act (1990) requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area. This is mirrored in Chapter 16 of the National Planning Policy Framework and also LP35 of the Kirklees Local Plan.

Policy LP1 of the Kirklees Local Plan states that:

“The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

In addition, Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment support the Act.

LP35 states *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in...harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring...public benefits that clearly outweigh the harm”*. This is mirrored in Chapter 16 of the NPPF.

Paragraph 203 goes on and states that Local planning authorities should consider:

“the desirability of sustaining and enhancing the significance of heritage assets... the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and; the desirability of development making a positive contribution to local distinctiveness” when determining these applications.

An analysis of whether harm to the significance of the heritage assets would occur will be assessed and discussed later in the report.

Impact on visual amenity and the Historic environment

In addition to the policy / legislation set out in section 1 of this report, of relevance to the consideration of this proposal is policy LP24 of the Kirklees Local Plan and policies within Chapter 12 of the NPPF which set out that development should be of an acceptable design.

Section 72 of the Act, and the duty surrounding the desirability of preserving or enhancing the character or appearance of a conservation area, is also relevant. This is re-iterated within Policy LP35 of the Kirklees Local Plan.

In terms of impact on the visual amenity and the Listed Building, Conservation and Design Officers were consulted and concluded that the proposed alterations would be on an elevation of the building which has a neutral impact on the Conservation area due to its limited prominence. It is acknowledged that there is a previous permission (whilst expired) for a similar scheme on site and the proposed alterations would have limited vantage points or alter how the property contributes to the conservation area. KC Conservation and Design officers requested that the proposed stairway and railings were constructed of powder coated aluminium which has been referred to in the heritage statement, it has therefore not been deemed necessary to condition this in this instance as it will be referenced in the plans table.

KC Conservation and Design have considered that the proposal would have a neutral impact on the conservation area in this instance.

It is therefore considered that the proposal can be supported as it would have an acceptable impact to visual amenity, the host listed building in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and advice within the NPPF.

Impact on residential amenity

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers.

It is considered that the proposed alterations would change a window to a door which is a similar level of fenestration and the associated staircase would not directly face onto adjoining neighbours.

It is considered that the proposal would not result in any significant concerns regarding the residential amenity of adjoining neighbours and would accord with Policy LP24 of the Kirklees Local Plan.

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 proposal would retain existing uses on site and not result in any displacement of vehicles onto the highway.

Therefore, the proposal would accord with LP21 and LP22 of the Kirklees local plan.

Other matters:

Biodiversity Net Gain:

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

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.

The proposal would be minimal in scale and would therefore accord with the de minimis exemption; therefore, no further details are required.

Climate change

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 pre-dates 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.

Considering the scale and nature of the proposed development, especially that it is for private use, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

Coal Mining Legacy

The site is located in a high risk coal area. Officers have not consulted with the coal authority due to the nature of the works requiring limited excavation works; however, a note will be added to the decision notice advising the

applicant that they may wish to contact the coal authority separately. It is considered that the proposal would therefore accord with LP53 of the Kirklees Local Plan and para. 197 of the NPPF.

Representations:

It should be noted that no representations have been received as a result of site publicity.

Conclusion:

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

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

Decision Authorisation - Delegated Powers

Application Number: 2025/62/92473/E

Officer Recommendation: APPROVE

Conditions and Reasons

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

Reason: Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, to retain the significance of designated heritage asset, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and advice in Chapters 12 and 16 the National Planning Policy Framework.

NOTE:

Noisy construction related activities shall not take place outside the hours of:
07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays

NOTE:

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.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Location Plan 1:1250	100	4.09.2025
Proposed site plan	112	4.09.2025
Existing floor plans	101	4.09.2025
Proposed floor plans	110	4.09.2025
Existing elevations	102	4.09.2025
Proposed elevations	111	4.09.2025
Heritage statement		4.09.2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. No further details requested.