

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:	2025/62/93140/E
Site Address:	Kami Healthcare Ltd, 8, Market Place, Birstall, Batley, WF17 9EL
Description:	Installation of replacement shop front and internal shutter (within a Conservation Area)
Recommending Officer:	Nicole Helliwell

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: 16 July 2026

Officer Report

Reference No. 2025/62/93140/E

Site Address: Kami Healthcare Ltd, 8, Market Place, Birstall, Batley, WF17 9EL

Proposal: Installation of replacement shop front and internal shutter (within a Conservation Area)

Site Description

The application relates to 8 Market Place, a commercial property located in Birstall, Batley. The site is located within the Birstall District Centre on the Kirklees Local Plan Proposals Map. The wider area comprises a combination of residential and commercial properties of similar materials and architectural styles. The site is not located near any Public Rights of Way (PROW). However, the site is located within the Birstall Conservation Area and adjacent to several listed buildings.

Description of Proposal

The application seeks retrospective planning permission to install a replacement shop front and shutter. The details of the proposal are summarised below:

- Installation of traditionally detailed timber windows and doors
- Timber mullions introduced to reflect historic shopfront subdivision
- The existing stallriser is to be retained and refurbished with a timber or tiled finish
- The depth of the recessed doorway is to be modestly reduced to improve accessibility and internal functionality
- Installation of an internal shutter

The submitted plans and details show signage proposed as part of the application. However, the signs have not been assessed under this application would require separate advertisement consent.

History of negotiations / amendments received

KC Conservation and Design raised concerns regarding the design of the proposal given its siting within the Birstall Conservation area and its proximity to the adjacent Listed Buildings. A request was made to omit the external roller shutter and replace it with an internal shutter. Revised drawings were received which were considered acceptable with regard to heritage and visual amenity.

Relevant Planning History

- **2026/90260:** Prior notification for change of use from commercial/business/service to 2 dwellings (within a Conservation Area). Planning application details | Kirklees Council – Details Approved
- **2010/91024:** Erection of non-illuminated sign (within a Conservation Area). Planning application details | Kirklees Council - Advertisement Consent Granted
- **2003/92566:** Change of use from doctors consulting rooms to solicitors offices (within a conservation area). Planning application details | Kirklees Council – Conditional Full Permission

Representations

The application was publicised by site notice and press advertisement, which expired on 2nd March 2026. As a result of the above publicity, 52 representations have been received, 48 in objection, 2 general comments and 2 councillor comments in objection.

The following comments were raised by representation which have been summarised, grouped and arranged into themes. These will be addressed by officers in the representation section of the report.

Councillor Comments (2 Representations)

Councillor Elizabeth Smaje

- The historic element lost in unauthorised work should be put back.
- The stained-glass windows were an integral part of the historic aspect of this building.
- Whilst planning permission is needed for the changes, it seems that once again we have a lack of enforcement action by planning to help maintain the conservation area in Birstall.
- The revised drawings do not show how the old stained-glass windows are going to be replaced. They are not there currently because they were smashed with a ladder when unauthorised work began. They are present in the next-door shop, with the shop sign covering them from the outside. They can be seen from the inside.
- The plans do not show any replacement.
- I am surprised therefore that KC Conservation and Design are stating that they have no problems with the drawings. I would ask that they visit the next door shop to see what they did look like at the former Chemist shop as they were an integral part of the heritage of the building.

Councillor Joshua Sheard

- The property is a Grade II listed building and sits within the Birstall Conservation Area, and this objection should be considered in the context of the ongoing enforcement action already being pursued by the Council following unauthorised works carried out at the site some months ago.

- The application and supporting documents state that the proposal preserves or reinstates the historic shopfront of the former Birstall Pharmacy. I do not believe this to be an accurate reflection of what has taken place or what is now being proposed.
- The original shopfront was removed without permission, and in the process, significant historic fabric of the shop front was destroyed. This included the original timber window frames, the shop signage, associated walls and glazing, and the stained glass windows that were located behind the original signage. These elements were not altered through a consented scheme but were lost entirely as a result of unauthorised works.
- Given that context, it is difficult to accept that the current proposal preserves the historic shopfront as suggested in paragraph 5 of the heritage statement. The historic frontage no longer exists. This concern is reinforced by the fact that the submitted plans do not include the reinstallation or faithful reproduction of the original stained-glass windows, which were an important feature of the former pharmacy frontage. Without these elements, the proposal does not return the building to anything approaching its original or historic appearance.
- The building makes a positive contribution to the character and appearance of the conservation area, and the loss of the original shopfront has already caused harm. Approving a scheme that does not fully address or reverse that harm, risks normalising the unauthorised removal of historic fabric and allowing it to be partially redesigned after the fact. That would undermine both the purpose of conservation area protections and the Council's current enforcement action.
- I am particularly concerned that determining this application without requiring full and accurate reinstatement of the lost historic features would weaken the Council's position in relation to enforcement and set an unfortunate precedent for other listed buildings and historic shopfronts in the area.
- I do not consider that it preserves the special architectural or historic interest of the building, nor does it adequately respond to the unauthorised works that have already taken place. I would ask that the application be refused, or at the very least deferred, until a revised scheme is brought forward that genuinely restores the historic shopfront in full, including the stained glass windows that were removed, and properly addresses the ongoing enforcement matters.

Objections (48 Representations)

Heritage and Visual Amenity

- Birstall is a conservation area and this should be a priority.
- It is so important that the cultural heritage of the village is retained. By already destroying the windows, the proposed business owner has shown no respect for this.

- A shuttered front to the building is not in keeping with the rest of the village and will take away from the cultural heritage.
- It needs to be ensured that the works are in keeping with the Conservation Area and suit the nature of the village.
- There is no mention as far as I can see to reinstate the beautiful stained glass that was there previously.
- The signage should stay in the style of Heritage writing in keeping with the building. They should be made to keep the frontage as it originally was.
- This applicant has thus far shown no consideration for the conservation of this building, destroying the glass etc.
- The application gives me no confidence that the building will be restored sympathetically, nor does it state future plans for the building which is of obvious concern.
- This building is in a prominent position within the Conservation area of Birstall, an historic village.
- The grounds of this building is a listed building and any changes to the look of the building will deviate from how it previously looked.
- The company who have purchased this building have not given any consideration to the character of the premises and its history and have been totally disrespectful to the village of Birstall.
- The Conservation Team at Kirklees need to visit the village and see how the Conservation rules are being flouted by ugly signage and shutters, and make a determined effort to improve the village centre by limiting the number of shops which offer the same service.
- I have always known this shop to be a Pharmacy, with a wide, double fronted facade, the windows having sections of original leaded lights, a shop frontage in keeping with the area.
- Before any application is even considered Kirklees need to insist the building is repaired, an ancient door adjoining the Pharmacy, leading to the flat above in Gothic House, has already been replaced with an ugly boarded up doorway.
- We strongly object to this application, which will further flout the Conservation rules.
- As part of a conservation area a modern roller shutter would be totally out of character to the village centre. Part renovations to the shop frontage have already destroyed many original features before the owners were forced to stop.
- The property concerned is a prominent building overlooking Birstall Market Place that is integral to the heart of the Birstall Conservation Area.
- I object to the roller shutter being installed. The properties either side do not appear to have shutters and this would adversely affect the character and appearance of this row of buildings within a conservation area.

- The premises are directly opposite the market square, the focal point of the village.
- This application is taking away the listed buildings design changing it from what it was.
- The current design needs to stay with the shop front in matching with the rest of Birstall and the stained glass replaced.
- Signage should be kept to low level lighting and again within the surrounding shops design.
- The shop front should be kept in keeping with the age and original style of the building and surrounding historic buildings.
- Birstall village is a conservation area and the building in question is Grade II listed. Any modifications to the shop front should retain the existing frontage, not just be another glass monstrosity that is becoming all too familiar in this village.
- The heritage of the old buildings and the character of the village need to be preserved and this application does not do that.
- The way the plan to destroy the original shop front which part of Birstall history is not on. This will ruin the look of the centre.
- Birstall is supposed to be a conservation area but there is very little cohesiveness in the way recent signage has been installed.
- The shop in question has been a much loved fixture in Birstall for many years and deserves to have a sympathetic renovation and be an attractive complementary addition to the streetscape, particularly as it is in a prominent position.
- Other businesses have previously been refused permission for shutters.
- I think these are a sensible precaution against crime, there needs to be parity for all businesses and perhaps a standard applied to ensure a tidy appearance.
- The proposal is in a conservation area - what exactly are they conserving?
- This proposal threatens the unique character of Birstall's 'little market.'
- Application is to change the design of a beloved shop front, in a conservation area, after already changing it without planning permission and being forced to revert the changes.
- It will irreversibly change the look of yet another landmark location within our local area, changing the character of not only this building, but the marketplace as a whole.
- It is not in keeping with the spirit of the area, and will permanently change the layout and design of a historical shop front.
- I strongly object to this application, and the impact it will have on the marketplace, and the wider area.
- The application site lies within a designated Conservation Area, where special attention must be paid to preserving and enhancing the character and appearance of the historic environment.

- The proposed replacement shopfront and roller shutter are inappropriate in design and appearance and would detract from the traditional and historic character of the building and the wider street scene.
- Modern or visually intrusive shopfronts and external roller shutters are widely recognised as harmful to Conservation Areas, particularly where they introduce non-traditional materials, solid shuttering, or an unsympathetic design.
- The proposal fails to respect the architectural integrity and heritage value of the existing building.
- The installation of an external roller shutter is particularly concerning.
- Solid or externally mounted shutters create a hostile and inactive frontage, harming the visual quality of the street and undermining the character of the Conservation Area. Such features are generally discouraged in historic areas due to their negative visual impact, especially outside trading hours.
- The application does not demonstrate that alternative, less harmful security measures such as internal shutters or laminated glass have been properly considered.
- National planning policy and the Kirklees Local Plan require developments within Conservation Areas to either preserve or enhance their character. This proposal does neither. Instead, it introduces elements that would visually erode the historic qualities that the Conservation Area designation is intended to protect.
- Shopfronts in Conservation Areas should be of a high standard of design, reflecting traditional proportions, materials, and detailing. The submitted proposal does not demonstrate the level of design quality expected in such a sensitive location and risks setting an undesirable precedent for further erosion of the area's historic character.
- Should be made to fully rectify shop front to original state in order to preserve the historic nature of the building and conserve this for aesthetic of the village and future generations.
- The shop front should be returned back to how it was before with the stained glass windows as it's in a conservation area they should also be fined for the damage.
- Reinstate the original shop frontage before this building application goes any further forward.
- It's in a conservation area and I want the centre of Birstall to be as it should be not changed.
- This was a beautiful shop front and has been destroyed.
- This is a Grade II listed building within the Birstall Conservation Area.
- National planning policy and Kirklees Local Plan require developments within Conservation Areas to preserve the character. The applicant has shown by his actions that he has no interest in doing this.

- The adaptation to the character and history of the building needs to be taken in to consideration. These are heritage buildings with their own charm and history. Adapting these properties will remove the character and charm that Birstall has worked hard to build.
- The proposed development would have a detrimental impact on the character and appearance of the Conservation Area.
- Traditional shopfronts contribute significantly to the historic and architectural interest of the area, and the introduction of a modern replacement shopfront and roller shutter would appear visually intrusive and out of keeping with the surrounding historic buildings.
- In particular, external roller shutters are generally inappropriate in Conservation Areas as they create a closed and unattractive street frontage, especially outside business hours. This would harm the visual amenity of the area and undermine the established historic streetscape.
- The proposal fails to meet NPPF requirements and does not demonstrate sufficient consideration of heritage impact or sympathetic design.
- Lastly if this application was to get the go ahead, I believe the shop frontage would not be in keeping with the area and will look cheap and tacky against adjacent properties.
- The neighbouring property has a canopy that they have had to keep above their shop due to the listed status so will the applicant be made to have a traditional sign?
- We do not need shops that wouldn't look out of place if they were on a strip abroad.
- This is a Grade II listed building within the Birstall Conservation Area and faces directly onto the Market Place.
- The Market Place is an important historic focal point of Birstall and was originally designated as a conservation area in 1998, in recognition of its 'special architectural or historic interest, the character of which it is desirable to preserve and enhance, now and for future generations'.
- The applicant needs to give additional information on his application in respect to the type of materials to be used externally.
- More recently I have seen planning and conservation rules continually broken and ignored by in-coming businesses who have removed traditional shop fronts, replacing them with totally inappropriate designs, brightly coloured metal roller shutters and illuminated garish signage without the relevant required planning permission.
- My concern is that, by already removing the majority of the original shop front to such a serious extent without planning permission this retrospective plan for a replacement will result in the applicant achieving a modern version that fails to match the most traditional features and designs that were removed, i.e. original timber window frame with recessed doorway & decorative stained glass window panels.

- The current proposal does not fully reinstate or faithfully reproduce what was lost, notably the stained-glass windows, which were a key feature of the original frontage. As such, it cannot reasonably be said to “preserve” the historic shopfront as the application suggests.
- Conservation areas are recognised for the contribution they make to cultural heritage and economic well-being of the country and to the locality.
- An area with conservation area status imposes a duty on Kirklees Council to preserve and enhance the quality and character of the conservation area.
- Kirklees Council should therefore consider this application in line with all the above including Article 4 (2) and in the context of ongoing enforcement action following unauthorised works carried out at the site last year.
- Many of the buildings in Birstall village centre are 150+ years old and the purpose of creating the Conservation Area was to protect and preserve them for future generations and this latest damage to Birstall’s heritage is just one of several negative incidents in recent years in the centre of the village where protected buildings have been changed without any enforcement from Kirklees Council, but there have also been some businesses who have applied correctly for permission for simpler and more discreet changes to their properties only to have them refused due to ‘conservation area’ restrictions.
- It needs to have the shop front put back to original design as its part of the history and we would like to keep it that way, we don’t want modern and bright its part of the beauty of Birstall seeing all the old building from our ancestor’s.

Highway Safety

- It will increase the traffic and cause parking issues which is already an issue
- Birstall does not need another barbers as the ones already there are not busy.
- This establishment will have an impact on parking due to nature of the business, Lengthy stay visits.
- This issue of parking already exists as a result of the paying carpark introduced recently.
- I also note the pavement been left unsafe for passing people.

Criminal Activity

- There are well documented concerns regarding barbers being used for illegal activity which should not be ignored.
- The National Crime Agency (NCA) estimates that £12bn of criminal cash is generated in the UK each year, which is typically smuggled out of the

country or integrated into the legitimate financial system using a variety of laundering techniques.

- Cash-intensive businesses such as barbershops, vape shops, nail bars, American-themed sweet shops and car washes are often used by criminals to conceal the origins of illicit cash.

Unauthorised Works

- They have already started the work without planning, even though they state on their application that no work has been started.
- This company recklessly threw chairs at the beautiful windows on this shop to break them, in doing so broke antique preserved stain glass.
- They unlawfully and without the correct permission smashed the windows and frames.
- They have been stopped and 'boarded' the windows up, making Birstall centre look like an eyesore.
- They first need to rectify the windows back to the original state, including replacing the stain glass, before this application gets accepted.
- The shop front has already been demolished and some of the listed features removed without planning permission.
- Work on this property was started by damaging the historic windows. It ceased when confronted by local MPs.
- The applicant started to demolish the shop frontage before planning application. This was stopped by planning, yet on their form they have ticked no to the answer has work started.
- It is absolutely appalling what they did to that beautiful building in the first place, by smashing the windows and the frames without any proper care or attention.
- I am given to believe that the person/person who instructed the 'builders' to destroy the existing shop front already occupies a property in Birstall Marketplace. Therefore, they would know/ought to have known that planning permission is required.
- They wilfully destroyed the shop front and are now applying for retrospective planning. If planning permission is granted, it will only encourage others to retrospectively apply for planning.
- The fact that the work started without permission brings into question the integrity of the application.
- The windows, and the shop front, were damaged recently by the new owners and the outside trashed, until local residents and Councillors stopped the work, which had no planning permission.
- What I object to is the disregard and disrespect to the building front. It's been hacked at and smashed, it needs replacing respectfully as was, keeping it in line with the rest of the traditional shop fronts in the village.

- The actions of the applicant so far, smashing the frontage without regard for health and safety does not encourage confidence in this development.
- The front has already been smashed to bits and totally spoilt the look of how Birstall is and should be. They should be made to put this back to how it was.
- The people who are trying to operate here demolished the front of a listed building without permission so what would they do if they took over this historical building
- Historic shop front partially destroyed by builders before appropriate permission sought.
- The owners of this lovely old chemist crudely destroyed the shop front until they were stopped and have not repaired it. This should be done before any plans are even considered.
- Extensive damage looks to have been done already to the windows.
- I am saddened to see the current state of the old pharmacy shop front in Birstall. It's in a conservation area and also grade listed building too. There was no consideration for the building when any work started taking place, they recklessly destroyed the front window and frames without checking current regulations.
- Work has started and it's obvious, someone needs to visit the site to look for themselves.
- The applicant ripped out the historic shopfront including the original timber window frames, the shop signage, the front walls and stained glass windows without any formal consent.
- The application states that work has not commenced; this is untrue.
- Work was started some months ago before the new owner sought permission from the Council. This was brought to the attention of Kirklees by concerned and horrified local residents after seeing the so called builders throwing chairs through the windows to remove them!
- This reckless unprofessional approach, damaged historic window frames and historic stained glass. Has this been put right? It's difficult to tell as it is currently boarded up.
- This company or person should not be allowed this application granted. They already damaged a listed building without planning permission.
- Stained glass windows damaged beyond repair.
- The original frontage damaged too.
- The destruction of the original shop front which was listed was absolutely disgusting.
- The Applicant took it upon himself to disregard not only the need for planning but destroyed the shop windows and frontage with a total disregard for public safety by chucking chairs at the windows to break them whilst people of the Birstall community were going about their daily business.

- It was only when questions were asked they stopped the work. I believe they knew all too well that they would need planning applications but as we've seen with other buildings around Kirklees some people believe that they are above the law and if they put a property in such disrepair that their application will be passed.
- At the time of the damage, councillors could not find who was doing the work and therefore could not find out who to prosecute and to demand that the shop frontage be returned to its original state immediately.
- Now you have your answer as the applicant himself has admitted in his application that he and others were in fact responsible for the damage. For this reason alone, this ridiculous application should be refused to send a clear message out that doing whatever you like and breaking laws and guidelines is totally unacceptable and does have financial consequences otherwise we will see a rise in this time of behaviour.
- It is a criminal offence under planning (Listed Buildings and Conservation Areas) act 1990 to demolish, alter or extend a listed building in a way that effects its character without obtaining listed building consent.
- We've already seen that the applicant can't follow the rules so I believe he would not follow any adherements and will do what he wants anyway.
- We need to preserve what us left in our community and he should be shown that his previous actions have consequences otherwise there is no deterrent.
- Only new developments in the revised Birstall conservation area which are sympathetic to the character and setting of Birstall conservation area should be considered.
- The number of barber shops in the UK has more than doubled in the last 10 years. In Birstall Centre there are already 11 hair related establishments There are also 5 further hair related establishments within easy walking distance of the town centre.
- I am therefore at a loss to understand any advantages of opening yet another hair related business in or close proximity to Birstall town centre.
- I regularly pass by the barbers in the centre when they are open with no customers - so I have often wondered how are they making sufficient money?
- The applicant states that he is applying for permission to carry out minor external alterations - the frontage has been ripped out without permission!
- He states that after a Council officer visited the site, all works were stopped and the frontage returned to its original condition. This is not true.
- In answer to the question: Has the work or change of use already started? The applicant states – NO. This is not true.
- Work has been started inside, along with the vandalism to the external frontage.

- It is wrongly stated in the submitted application that works had not been started at the property.
- Work appeared to have begun internally which was followed by the external demolition of the shop front on 29th October 2025 resulting in the shocking damage to the original shop front, with irrecoverable destruction of the original timber window frame, glass and decorative stained-glass sections.
- The tenants or owners then made a very botched effort of boarding up the property when work was stopped which has left the front of the building in an appalling and very insecure state for the last three months.
- This lack of consistency and enforcement by planning control is the main contributing factor to how the village centre is beginning to look.
- I urge Kirklees Planning Officials to refuse this application and insist on an identical shop front replacement to this building to replace what was removed and to also review and investigate the other businesses within the Birstall Conservation Area that have failed to follow correct planning procedures when making unauthorised alterations to their shop frontage.
- Approving a partial redesign after unauthorised removal risks legitimising the loss of historic architecture, undermining the conservation area protections, weakening the Council's enforcement position and setting a damaging precedent for other listed buildings in Birstall.
- The historic shopfront of the former Birstall Pharmacy was removed without consent, resulting in the loss of original historic fabric, including the original timber window frames, the shop signage, the front walls and stained-glass windows. These elements were destroyed, not altered through an approved scheme.

Other Matters

- The persons requesting this application clearly have no consideration for the property or people of Birstall and how much of a community we really are.
- No modifications need to be made at all to the building and it should have been preserved as such.
- Birstall is a small village that is already over-represented by barber shops, take-aways and vape shops and the addition of a similar business as per this application will do nothing for the community of Birstall.
- The village does not need another barbers shop.
- We do not need another barbers shop in our small village! The ones that are already here are empty most of the day.
- Why would anyone with a genuine interest in building a profitable business choose to open a shop here.

- I object to yet another barber shop in Birstall as this is detrimental to the area. There are numerous hairdressers and barbers already in Birstall which is only a small village.
- We don't need another barbers in Birstall we have loads already. It won't just be a barbers it will be a drug den and money laundering and everything going through it. We need something different in Birstall.
- I doubt a barbers is needed in the village to be honest, there are plenty already for the local population. Wider consideration of what the village needs and wants.
- There are numerous barbers within a small distance of each other. I feel this application does not enhance Birstall centre, it needs a variety of different shops to encourage more footfall
- Does Birstall really need another Barbers. We already have so many hairdressers, barbers, nail, beauty shops.
- I also don't believe we need another barbers in our lovely little village
- The existing barber shops always appear quiet so I don't fully understand the logic of an additional business. I don't wish to dampen anyone's ambition but I can't see this application providing any meaningful improvement or value to the village.
- This chemist has always been a big part of the Birstall community. I feel that this proposal shouldn't go ahead.
- Birstall does not need another barbers there is ample.
- The shop was full of characters.
- The village of Birstall does not need any more barbers' shops, there are already several within the village centre.
- The building should be used for a retail shop which will encourage people to buy household commodities, trading alongside the Butchers, Post Office, Bakers etc that already exist.
- The old Pharmacy is a large shop, opposite the market place, adjoining an Antique shop, and a thriving cafe next to that, the application for yet another Barbers' shop is totally out of keeping with the site.
- The building has been left in poor repair by its owners for several years now and it needs restoring to be in keeping with the area, but as a retail shop.
- Kirklees should be encouraging people to shop locally and not allow further decline to our village shopping centre.
- Birstall does not need yet another Barber shop in town they is already too many.
- There is already too many barber shops and hairdressers in Birstall, adding another one does not bring anything to the town.
- The property is intending on using the premises as a barbers. The village already has a high number of barbers, some of which seem to be used very little, bringing in little trade to the village and community.

- I don't believe the village of Birstall needs another barber shop, however I'd rather see the shop in use than stand empty.
- I also note a Barbers is proposed for this building. Birstall currently has 5 Barber shops within the village centre, with one already opening 7 days per week, and another 3 within a 5min walk from the centre. Birstall is saturated with Barbers, this makes the village unattractive to new investors when there are so many businesses offering the same thing, a lack of retail diversity will deter people from spending money in the area.
- The last thing Birstall needs is yet another barbers shop. There are 4 already in the centre of the village surely this is enough. Can't we have a Greggs?
- Does Birstall really need another barbers also when other amenities are further required... I strongly object to this going ahead.
- Birstall does not need or want another barbershop. We already have enough existing barbers who service the community.
- This will damage their existing businesses and also damage the traditional feel of our village making Birstall like Batley and losing its identity.
- No one wants this in Birstall.
- Birstall has several barbers and hairdressers and we do not need another one.
- We certainly do not need another barbers. The shop should be but back to original state.
- I do not think yet another barbers is a useful addition in Birstall.
- We do not need any more barbers in Birstall, there are enough already, adding another one puts the already established businesses at risk. Keep our village how it is and not spoil the look and community any more than it already has been.
- The area is becoming dominated by an excessive number of barber shops (currently 4) and takeaways. This imbalance is spoiling the traditional atmosphere of the market and displacing the varied retail shops that residents rely on. The council should prioritize retaining a healthy mix of businesses rather than allowing a monoculture of service unit.
- Birstall is a village with quirky shops supermarkets hairdressers pubs clubs and unique bars with a little bit of something special for everyone, Barbers chemist it does not need another Barbers vape shop or hairdressers in the village the old chemist is part of Birstall heritage.
- You hardly ever see anyone in the Barbers in the village so how do they make a living as it is, so why would we need another.
- It's a small village with a great butchers, bakers, supermarkets, quirky health and beauty salons, it is a busy little village we want to keep it that way.
- We don't need any more Barbers, stop it before it is too late.

- It just becomes a cover up for something else, you cannot pay out all that money a month for over heads and have no customers coming in and not having some other sidelines..... stop letting people pull the wool over your eyes.
- Birstall is a small village and it does not need yet another barbers or vape shop. Most of these are empty most of the time anyway!
- Birstall does not need yet another Barbershop in the centre.
- Nobody in the area wants Birstall to look like Blackpool lights.
- This should not go ahead. There are enough barber's in Birstall.
- This shop is going to be another barbers which we have 7 barbers within less than a mile of each other. This is not in keeping with the local area and will destroy the look and feel of our beautiful village.
- We have no need for another barbers or another vape shop. We need real shops in keeping with the village and conservation area
- Birstall and the surrounding areas is already saturated with barber shops and the hair trade.
- Trying to shop locally and supporting local businesses is becoming a task in this village impacting business and struggling as a result. Another Barber shop in the village will not benefit the community in Birstall as we have several already.
- There are 7 plus barber shops in Birstall alone and another 3 in the surrounding areas. Birstall village and its shoppers will not benefit from another Barber shop.
- Birstall is a historic village which should be preserved that way encouraging shops that will benefit a variety of shoppers and with that in mind and a view of too many of the same shop pushes business away and impacts what's already there.
- Birstall village has enough barbers.
- Birstall has worked hard to maintain its charm as a small village and its diversity of shops available to the community. Birstall already has several barber shops and facilities as well as many being a short distance away in Batley, so another potential site would not be needed.
- Do the Council no longer consider what businesses are already in the immediate vicinity? Surely opening a new business is to make a living/profit.
- There are already 'several' Barbers/hair salons in the town centre. Allowing yet another Barbers to open in the village is futile.
- Would the Council not consider doing a poll to find out what local people would like to see in the village? This would seem to be the way forward and help the village and surrounding area grow
- Have you noted just how many barbers shops, hairdressers are already in Birstall? Too many is the answer.

- The barbers shops that already exist are totally empty most days which makes me wonder how they keep going, are these money laundering businesses?
- This business is of no value to a small community like Birstall who could do with a wider variety of shops to benefit our elderly community.
- This is a small village that the people of Birstall want to be proud of and where there are a variety of shops for everyone of any age that are in keeping with our local history.
- Birstall village does not need another barber shop.
- I believe that approving another barbershop in an area already saturated with similar businesses would offer no tangible benefits and would indeed pose several harms as it would; strain existing hair establishments in and around Birstall Centre, erode the diversity of the high street, cause a deficit in customers for the high street (reduced footfall) and go against clear public sentiment.

General Comments (2 Representations)

- There is an error in the submission. 156 sqm is nonsensical. This is an application for a barbershop not the Tardis. The applicant needs to re submit. The correct answer is 0 sqm change.
- The submitted heritage statement is incorrect and appears to have been written by AI.
- Although this building is a positive building within the Birstall conservation area it is not listed and it is queried why the application was validated with such a poor justification statement.
- The shopfront appears to date from the early 20th century and maintains stained glass panes to its upper part. These elements should be retained as should all other elements of the remaining shopfront.
- As a result, this scheme should result in repair rather than replacement. Although the fascia sign should be reduced to enable the stained glass to be maintained and visible.
- On the roller shutter this should be internally mounted only as an external, solid shutter will harm the character of the area.

Parish/Town Council Comments

Not Applicable.

Due to the number of representations received, the application was discussed with the Chair of the District Wide Planning Committee. It was determined that the decision be delegated to officers.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the 'Assessment' section of the report, where appropriate):

- KC Ecology – No objection
- KC Conservation and Design – No objection on receipt of amended plans

Planning Policy Background

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 within the Birstall District Centre on the Kirklees Local Plan Proposals Map. The property is also located within the Birstall Conservation Area and adjacent to several listed buildings. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place shaping
- **LP 7** - Efficient and Effective Use of Land and Buildings
- **LP 13** - Town Centre Uses
- **LP 14** - Shopping Frontages
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity and Geodiversity
- **LP 35** - Historic Environment
- **LP 52** - Protection and Improvement of Environmental Quality

Supplementary Planning Guidance / Documents:

- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

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 7** - Ensuring the vitality of Town Centres
- **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** - Protecting and Enhancing the Historic Environment

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16th December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

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 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”*.

Policy LP14 (Shopping frontages Within Kirklees) of the Kirklees Local Plan requires that uses within Primary Shopping Areas will be expected to maintain or provide active ground floor uses whereby retail uses within the above areas will be supported.

The proposed shopfront and shutter would support the continued retail function of the building and would have a beneficial impact in terms of ensuring the vitality and viability of the town centre.

In this case, the principle of development is considered acceptable, and 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

Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape,

extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

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.”*

Paragraph 135(c) of the NPPF sets out that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

Paragraph 210 of the NPPF is also of relevance and states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- a) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

The submitted plans confirm that traditionally detailed timber windows and doors would be installed and timber mullions would be introduced as part of the application. Furthermore, it is noted that the existing stallriser is to be retained and refurbished with a timber or tiled finish and the depth of the recessed doorway is to be modestly reduced to improve accessibility and internal functionality. In addition to these alterations, an internal shutter has been proposed. Given that the external alterations would be in keeping with the style of the original build, it is considered that the proposal would not have a detrimental visual impact on the character and appearance of the host property and surrounding area and the significance of the Birstall Conservation Area.

Having taken into account the above, it is considered that the proposal would be acceptable from a visual amenity perspective, in accordance with Policy

LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF. Furthermore, the proposal would not cause any detrimental harm to the significance of the Birstall Conservation Area and the adjacent Listed Buildings in accordance with Policy LP35 of the Kirklees Local Plan, Chapter 16 of the NPPF and the requirements of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

2. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

Due to the nature and scale of the exterior alterations proposed, officers consider that the proposal would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of the neighbouring occupants, over and above the existing arrangements on site.

Having considered the above factors, the proposed works are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed development would not materially intensify the use or affect the existing highway access and parking arrangements on site. Therefore, it is considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

4. Other Matters

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.

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures.

Biodiversity Net Gain

The application form states that the development would be exempt from providing Biodiversity Net Gain. At this stage, Officers are only able to assess this on the basis of submitted information. Should the proposal be considered not exempt by reason of not being this or other relevant categories for the scale of the development then an appropriate condition, supported by a BNG metric submitted for the approval of the LPA, would be required to ensure on-site BNGs would last for at least 30 years to meet the requirements of this legislation.

Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, therefore, should the application be approved, it is considered necessary for a footnote to be imposed restricting the times when noisy construction activities will be permitted.

There are no other matters considered relevant to the determination of this application.

5. Representations

In total, over the course of the application, 52 representations have been received, 48 in objection, 2 general comments and 2 Councillor comments in objection. The comments have been summarised, grouped and arranged into themes. These comments have been addressed below:

Councillor Comments (2 Representations)

Councillor Smaje

- The historic element lost in unauthorised work should be put back.

- The stained-glass windows were an integral part of the historic aspect of this building.
- Whilst planning permission is needed for the changes, it seems that once again we have a lack of enforcement action by planning to help maintain the conservation area in Birstall.
- The revised drawings do not show how the old stained-glass windows are going to be replaced. They are not there currently because they were smashed with a ladder when unauthorised work began. They are present in the next-door shop, with the shop sign covering them from the outside. They can be seen from the inside.
- The plans do not show any replacement.
- I am surprised therefore that KC Conservation and Design are stating that they have no problems with the drawings. I would ask that they visit the next door shop to see what they did look like at the former Chemist shop as they were an integral part of the heritage of the building.

Councillor Sheard

- The property is a Grade II listed building and sits within the Birstall Conservation Area, and this objection should be considered in the context of the ongoing enforcement action already being pursued by the Council following unauthorised works carried out at the site some months ago.
- The application and supporting documents state that the proposal preserves or reinstates the historic shopfront of the former Birstall Pharmacy. I do not believe this to be an accurate reflection of what has taken place or what is now being proposed.
- The original shopfront was removed without permission, and in the process, significant historic fabric of the shop front was destroyed. This included the original timber window frames, the shop signage, associated walls and glazing, and the stained glass windows that were located behind the original signage. These elements were not altered through a consented scheme but were lost entirely as a result of unauthorised works.
- Given that context, it is difficult to accept that the current proposal preserves the historic shopfront as suggested in paragraph 5 of the heritage statement. The historic frontage no longer exists. This concern is reinforced by the fact that the submitted plans do not include the reinstallation or faithful reproduction of the original stained-glass windows, which were an important feature of the former pharmacy frontage. Without these elements, the proposal does not return the building to anything approaching its original or historic appearance.
- The building makes a positive contribution to the character and appearance of the conservation area, and the loss of the original shopfront has already caused harm. Approving a scheme that does not fully address or reverse that harm, risks normalising the unauthorised removal of historic fabric and allowing it to be partially redesigned after the fact. That

would undermine both the purpose of conservation area protections and the Council's current enforcement action.

- I am particularly concerned that determining this application without requiring full and accurate reinstatement of the lost historic features would weaken the Council's position in relation to enforcement and set an unfortunate precedent for other listed buildings and historic shopfronts in the area.
- I do not consider that it preserves the special architectural or historic interest of the building, nor does it adequately respond to the unauthorised works that have already taken place. I would ask that the application be refused, or at the very least deferred, until a revised scheme is brought forward that genuinely restores the historic shopfront in full, including the stained glass windows that were removed, and properly addresses the ongoing enforcement matters.

Officer Response: Any works undertaken without planning permission would be at the applicant's own risk and may be subject to enforcement action. The building is located within the Birstall Conservation Area, however, it is not a Grade II Listed Building as referenced within the submitted plans and documentation. The proposals potential impact on the appearance and character of the Birstall Conservation Area has been assessed within the 'visual amenity and historic environment' section of the report.

Objections (48 Representations)

Heritage and Visual Amenity

- Birstall is a conservation area and this should be a priority.
- It is so important that the cultural heritage of the village is retained. By already destroying the windows, the proposed business owner has shown no respect for this.
- A shuttered front to the building is not in keeping with the rest of the village and will take away from the cultural heritage.
- It needs to be ensured that the works are in keeping with the Conservation Area and suit the nature of the village.
- There is no mention as far as I can see to reinstate the beautiful stained glass that was there previously.
- The signage should stay in the style of Heritage writing in keeping with the building. They should be made to keep the frontage as it originally was.
- This applicant has thus far shown no consideration for the conservation of this building, destroying the glass etc.
- The application gives me no confidence that the building will be restored sympathetically, nor does it state future plans for the building which is of obvious concern.
- This building is in a prominent position within the Conservation area of Birstall, an historic village.

- The grounds of this building is a listed building and any changes to the look of the building will deviate from how it previously looked.
- The company who have purchased this building have not given any consideration to the character of the premises and its history and have been totally disrespectful to the village of Birstall.
- The Conservation Team at Kirklees need to visit the village and see how the Conservation rules are being flouted by ugly signage and shutters, and make a determined effort to improve the village centre by limiting the number of shops which offer the same service.
- I have always known this shop to be a Pharmacy, with a wide, double fronted facade, the windows having sections of original leaded lights, a shop frontage in keeping with the area.
- Before any application is even considered Kirklees need to insist the building is repaired, an ancient door adjoining the Pharmacy, leading to the flat above in Gothic House, has already been replaced with an ugly boarded up doorway.
- We strongly object to this application, which will further flout the Conservation rules.
- As part of a conservation area a modern roller shutter would be totally out of character to the village centre. Part renovations to the shop frontage have already destroyed many original features before the owners were forced to stop.
- The property concerned is a prominent building overlooking Birstall Market Place that is integral to the heart of the Birstall Conservation Area.
- I object to the roller shutter being installed. The properties either side do not appear to have shutters and this would adversely affect the character and appearance of this row of buildings within a conservation area.
- The premises are directly opposite the market square, the focal point of the village.
- This application is taking away the listed buildings design changing it from what it was.
- The current design needs to stay with the shop front in matching with the rest of Birstall and the stained glass replaced.
- Signage should be kept to low level lighting and again within the surrounding shops design.
- The shop front should be kept in keeping with the age and original style of the building and surrounding historic buildings.
- Birstall village is a conservation area and the building in question is Grade II listed. Any modifications to the shop front should retain the existing frontage, not just be another glass monstrosity that is becoming all too familiar in this village.
- The heritage of the old buildings and the character of the village need to be preserved and this application does not do that.

- The way the plan to destroy the original shop front which part of Birstall history is not on. This will ruin the look of the centre.
- Birstall is supposed to be a conservation area but there is very little cohesiveness in the way recent signage has been installed.
- The shop in question has been a much loved fixture in Birstall for many years and deserves to have a sympathetic renovation and be an attractive complementary addition to the streetscape, particularly as it is in a prominent position.
- Other businesses have previously been refused permission for shutters.
- I think these are a sensible precaution against crime, there needs to be parity for all businesses and perhaps a standard applied to ensure a tidy appearance.
- The proposal is in a conservation area - what exactly are they conserving?
- This proposal threatens the unique character of Birstall's 'little market.'
- Application is to change the design of a beloved shop front, in a conservation area, after already changing it without planning permission and being forced to revert the changes.
- It will irreversibly change the look of yet another landmark location within our local area, changing the character of not only this building, but the marketplace as a whole.
- It is not in keeping with the spirit of the area, and will permanently change the layout and design of a historical shop front.
- I strongly object to this application, and the impact it will have on the marketplace, and the wider area.
- The application site lies within a designated Conservation Area, where special attention must be paid to preserving and enhancing the character and appearance of the historic environment.
- The proposed replacement shopfront and roller shutter are inappropriate in design and appearance and would detract from the traditional and historic character of the building and the wider street scene.
- Modern or visually intrusive shopfronts and external roller shutters are widely recognised as harmful to Conservation Areas, particularly where they introduce non-traditional materials, solid shuttering, or an unsympathetic design.
- The proposal fails to respect the architectural integrity and heritage value of the existing building.
- The installation of an external roller shutter is particularly concerning.
- Solid or externally mounted shutters create a hostile and inactive frontage, harming the visual quality of the street and undermining the character of the Conservation Area. Such features are generally discouraged in historic areas due to their negative visual impact, especially outside trading hours.

- The application does not demonstrate that alternative, less harmful security measures such as internal shutters or laminated glass have been properly considered.
- National planning policy and the Kirklees Local Plan require developments within Conservation Areas to either preserve or enhance their character. This proposal does neither. Instead, it introduces elements that would visually erode the historic qualities that the Conservation Area designation is intended to protect.
- Shopfronts in Conservation Areas should be of a high standard of design, reflecting traditional proportions, materials, and detailing. The submitted proposal does not demonstrate the level of design quality expected in such a sensitive location and risks setting an undesirable precedent for further erosion of the area's historic character.
- Should be made to fully rectify shop front to original state in order to preserve the historic nature of the building and conserve this for aesthetic of the village and future generations.
- The shop front should be returned back to how it was before with the stained glass windows as it's in a conservation area they should also be fined for the damage.
- Reinstate the original shop frontage before this building application goes any further forward.
- It's in a conservation area and I want the centre of Birstall to be as it should be not changed.
- This was a beautiful shop front and has been destroyed.
- This is a Grade II listed building within the Birstall Conservation Area.
- National planning policy and Kirklees Local Plan require developments within Conservation Areas to preserve the character. The applicant has shown by his actions that he has no interest in doing this.
- The adaptation to the character and history of the building needs to be taken in to consideration. These are heritage buildings with their own charm and history. Adapting these properties will remove the character and charm that Birstall has worked hard to build.
- The proposed development would have a detrimental impact on the character and appearance of the Conservation Area.
- Traditional shopfronts contribute significantly to the historic and architectural interest of the area, and the introduction of a modern replacement shopfront and roller shutter would appear visually intrusive and out of keeping with the surrounding historic buildings.
- In particular, external roller shutters are generally inappropriate in Conservation Areas as they create a closed and unattractive street frontage, especially outside business hours. This would harm the visual amenity of the area and undermine the established historic streetscape.

- The proposal fails to meet NPPF requirements and does not demonstrate sufficient consideration of heritage impact or sympathetic design.
- Lastly if this application was to get the go ahead, I believe the shop frontage would not be in keeping with the area and will look cheap and tacky against adjacent properties.
- The neighbouring property has a canopy that they have had to keep above their shop due to the listed status so will the applicant be made to have a traditional sign?
- We do not need shops that wouldn't look out of place if they were on a strip abroad.
- This is a Grade II listed building within the Birstall Conservation Area and faces directly onto the Market Place.
- The Market Place is an important historic focal point of Birstall and was originally designated as a conservation area in 1998, in recognition of its 'special architectural or historic interest, the character of which it is desirable to preserve and enhance, now and for future generations'.
- The applicant needs to give additional information on his application in respect to the type of materials to be used externally.
- More recently I have seen planning and conservation rules continually broken and ignored by in-coming businesses who have removed traditional shop fronts, replacing them with totally inappropriate designs, brightly coloured metal roller shutters and illuminated garish signage without the relevant required planning permission.
- My concern is that, by already removing the majority of the original shop front to such a serious extent without planning permission this retrospective plan for a replacement will result in the applicant achieving a modern version that fails to match the most traditional features and designs that were removed, i.e. original timber window frame with recessed doorway & decorative stained glass window panels.
- The current proposal does not fully reinstate or faithfully reproduce what was lost, notably the stained-glass windows, which were a key feature of the original frontage. As such, it cannot reasonably be said to "preserve" the historic shopfront as the application suggests.
- Conservation areas are recognised for the contribution they make to cultural heritage and economic well-being of the country and to the locality.
- An area with conservation area status imposes a duty on Kirklees Council to preserve and enhance the quality and character of the conservation area.
- Kirklees Council should therefore consider this application in line with all the above including Article 4 (2) and in the context of ongoing enforcement action following unauthorised works carried out at the site last year.
- Many of the buildings in Birstall village centre are 150+ years old and the purpose of creating the Conservation Area was to protect and preserve

them for future generations and this latest damage to Birstall's heritage is just one of several negative incidents in recent years in the centre of the village where protected buildings have been changed without any enforcement from Kirklees Council, but there have also been some businesses who have applied correctly for permission for simpler and more discreet changes to their properties only to have them refused due to 'conservation area' restrictions.

- It needs to have the shop front put back to original design as its part of the history and we would like to keep it that way, we don't want modern and bright its part of the beauty of Birstall seeing all the old building from our ancestor's.

Officer Response: *The building is located within the Birstall Conservation Area, however, it is not a Grade II Listed Building as referenced within the submitted plans and documentation. The proposals potential impact on the appearance and character of the Birstall Conservation Area has been assessed within the 'visual amenity and historic environment' section of the report.*

Highway Safety

- It will increase the traffic and cause parking issues which is already an issue
- Birstall does not need another barbers as the ones already there are not busy.
- This establishment will have an impact on parking due to nature of the business, Lengthy stay visits.
- This issue of parking already exists as a result of the paying carpark introduced recently.
- I also note the pavement been left unsafe for passing people.

Officer Response: *The proposed works would not materially intensify the use or affect the existing highway access and parking arrangements on site. As such, officers consider that the exterior works proposed would be acceptable in terms of highway safety.*

Criminal Activity

- There are well documented concerns regarding barbers being used for illegal activity which should not be ignored.
- The National Crime Agency (NCA) estimates that £12bn of criminal cash is generated in the UK each year, which is typically smuggled out of the country or integrated into the legitimate financial system using a variety of laundering techniques.

- Cash-intensive businesses such as barbershops, vape shops, nail bars, American-themed sweet shops and car washes are often used by criminals to conceal the origins of illicit cash.

Officer Response: *The use of a building can be changed without planning permission providing that both the current and proposed uses fall within the same use class. The application relates to a shopfront and shutter and has been assessed on this basis. As such, the development proposed is not considered to result in anti-social behaviour or criminal activity.*

Unauthorised Works

- They have already started the work without planning, even though they state on their application that no work has been started.
- This company recklessly threw chairs at the beautiful windows on this shop to break them, in doing so broke antique preserved stain glass.
- They unlawfully and without the correct permission smashed the windows and frames.
- They have been stopped and 'boarded' the windows up, making Birstall centre look like an eyesore.
- They first need to rectify the windows back to the original state, including replacing the stain glass, before this application gets accepted.
- The shop front has already been demolished and some of the listed features removed without planning permission.
- Work on this property was started by damaging the historic windows. It ceased when confronted by local MPs.
- The applicant started to demolish the shop frontage before planning application. This was stopped by planning, yet on their form they have ticked no to the answer has work started.
- It is absolutely appalling what they did to that beautiful building in the first place, by smashing the windows and the frames without any proper care or attention.
- I am given to believe that the person/person who instructed the 'builders' to destroy the existing shop front already occupies a property in Birstall Marketplace. Therefore, they would know/ought to have known that planning permission is required.
- They wilfully destroyed the shop front and are now applying for retrospective planning. If planning permission is granted, it will only encourage others to retrospectively apply for planning.
- The fact that the work started without permission brings into question the integrity of the application.
- The windows, and the shop front, were damaged recently by the new owners and the outside trashed, until local residents and Councillors stopped the work, which had no planning permission.

- What I object to is the disregard and disrespect to the building front. It's been hacked at and smashed, it needs replacing respectfully as was, keeping it in line with the rest of the traditional shop fronts in the village.
- The actions of the applicant so far, smashing the frontage without regard for health and safety does not encourage confidence in this development.
- The front has already been smashed to bits and totally spoilt the look of how Birstall is and should be. They should be made to put this back to how it was.
- The people who are trying to operate here demolished the front of a listed building without permission so what would they do if they took over this historical building
- Historic shop front partially destroyed by builders before appropriate permission sought.
- The owners of this lovely old chemist crudely destroyed the shop front until they were stopped and have not repaired it. This should be done before any plans are even considered.
- Extensive damage looks to have been done already to the windows.
- I am saddened to see the current state of the old pharmacy shop front in Birstall. It's in a conservation area and also grade listed building too. There was no consideration for the building when any work started taking place, they recklessly destroyed the front window and frames without checking current regulations.
- Work has started and it's obvious, someone needs to visit the site to look for themselves.
- The applicant ripped out the historic shopfront including the original timber window frames, the shop signage, the front walls and stained glass windows without any formal consent.
- The application states that work has not commenced; this is untrue.
- Work was started some months ago before the new owner sought permission from the Council. This was brought to the attention of Kirklees by concerned and horrified local residents after seeing the so called builders throwing chairs through the windows to remove them!
- This reckless unprofessional approach, damaged historic window frames and historic stained glass. Has this been put right? It's difficult to tell as it is currently boarded up.
- This company or person should not be allowed this application granted. They already damaged a listed building without planning permission.
- Stained glass windows damaged beyond repair.
- The original frontage damaged too.
- The destruction of the original shop front which was listed was absolutely disgusting.
- The Applicant took it upon himself to disregard not only the need for planning but destroyed the shop windows and frontage with a total

disregard for public safety by chucking chairs at the windows to break them whilst people of the Birstall community were going about their daily business.

- It was only when questions were asked they stopped the work. I believe they knew all too well that they would need planning applications but as we've seen with other buildings around Kirklees some people believe that they are above the law and if they put a property in such disrepair that their application will be passed.
- At the time of the damage, councillors could not find who was doing the work and therefore could not find out who to prosecute and to demand that the shop frontage be returned to its original state immediately.
- Now you have your answer as the applicant himself has admitted in his application that he and others were in fact responsible for the damage. For this reason alone, this ridiculous application should be refused to send a clear message out that doing whatever you like and breaking laws and guidelines is totally unacceptable and does have financial consequences otherwise we will see a rise in this time of behaviour.
- It is a criminal offence under planning (Listed Buildings and Conservation Areas) act 1990 to demolish, alter or extend a listed building in a way that effects its character without obtaining listed building consent.
- We've already seen that the applicant can't follow the rules so I believe he would not follow any adherements and will do what he wants anyway.
- We need to preserve what us left in our community and he should be shown that his previous actions have consequences otherwise there is no deterrent.
- Only new developments in the revised Birstall conservation area which are sympathetic to the character and setting of Birstall conservation area should be considered.
- The number of barber shops in the UK has more than doubled in the last 10 years. In Birstall Centre there are already 11 hair related establishments There are also 5 further hair related establishments within easy walking distance of the town centre.
- I am therefore at a loss to understand any advantages of opening yet another hair related business in or close proximity to Birstall town centre.
- I regularly pass by the barbers in the centre when they are open with no customers - so I have often wondered how are they making sufficient money?
- The applicant states that he is applying for permission to carry out minor external alterations - the frontage has been ripped out without permission!
- He states that after a Council officer visited the site, all works were stopped and the frontage returned to its original condition. This is not true.
- In answer to the question: Has the work or change of use already started? The applicant states – NO. This is not true.

- Work has been started inside, along with the vandalism to the external frontage.
- It is wrongly stated in the submitted application that works had not been started at the property.
- Work appeared to have begun internally which was followed by the external demolition of the shop front on 29th October 2025 resulting in the shocking damage to the original shop front, with irrecoverable destruction of the original timber window frame, glass and decorative stained-glass sections.
- The tenants or owners then made a very botched effort of boarding up the property when work was stopped which has left the front of the building in an appalling and very insecure state for the last three months.
- This lack of consistency and enforcement by planning control is the main contributing factor to how the village centre is beginning to look.
- I urge Kirklees Planning Officials to refuse this application and insist on an identical shop front replacement to this building to replace what was removed and to also review and investigate the other businesses within the Birstall Conservation Area that have failed to follow correct planning procedures when making unauthorised alterations to their shop frontage.
- Approving a partial redesign after unauthorised removal risks legitimising the loss of historic architecture, undermining the conservation area protections, weakening the Council's enforcement position and setting a damaging precedent for other listed buildings in Birstall.
- The historic shopfront of the former Birstall Pharmacy was removed without consent, resulting in the loss of original historic fabric, including the original timber window frames, the shop signage, the front walls and stained-glass windows. These elements were destroyed, not altered through an approved scheme.

Officer Response: Any works undertaken without planning permission would be at the applicant's own risk and may be subject to enforcement action.

Other Matters

- The persons requesting this application clearly have no consideration for the property or people of Birstall and how much of a community we really are.
- No modifications need to be made at all to the building and it should have been preserved as such.
- Birstall is a small village that is already over-represented by barber shops, take-aways and vape shops and the addition of a similar business as per this application will do nothing for the community of Birstall.
- The village does not need another barbers shop.

- We do not need another barbers shop in our small village! The ones that are already here are empty most of the day.
- Why would anyone with a genuine interest in building a profitable business choose to open a shop here.
- I object to yet another barber shop in Birstall as this is detrimental to the area. There are numerous hairdressers and barbers already in Birstall which is only a small village.
- We don't need another barbers in Birstall we have loads already. It won't just be a barbers it will be a drug den and money laundering and everything going through it. We need something different in Birstall.
- I doubt a barbers is needed in the village to be honest, there are plenty already for the local population. Wider consideration of what the village needs and wants.
- There are numerous barbers within a small distance of each other. I feel this application does not enhance Birstall centre, it needs a variety of different shops to encourage more footfall
- Does Birstall really need another Barbers. We already have so many hairdressers, barbers, nail, beauty shops.
- I also don't believe we need another barbers in our lovely little village
- The existing barber shops always appear quiet so I don't fully understand the logic of an additional business. I don't wish to dampen anyone's ambition but I can't see this application providing any meaningful improvement or value to the village.
- This chemist has always been a big part of the Birstall community. I feel that this proposal shouldn't go ahead.
- Birstall does not need another barbers there is ample.
- The shop was full of characters.
- The village of Birstall does not need any more barbers' shops, there are already several within the village centre.
- The building should be used for a retail shop which will encourage people to buy household commodities, trading alongside the Butchers, Post Office, Bakers etc that already exist.
- The old Pharmacy is a large shop, opposite the market place, adjoining an Antique shop, and a thriving cafe next to that, the application for yet another Barbers' shop is totally out of keeping with the site.
- The building has been left in poor repair by its owners for several years now and it needs restoring to be in keeping with the area, but as a retail shop.
- Kirklees should be encouraging people to shop locally and not allow further decline to our village shopping centre.
- Birstall does not need yet another Barber shop in town they are already too many.

- There is already too many barber shops and hairdressers in Birstall, adding another one does not bring anything to the town.
- The property is intending on using the premises as a barbers. The village already has a high number of barbers, some of which seem to be used very little, bringing in little trade to the village and community.
- I don't believe the village of Birstall needs another barber shop, however I'd rather see the shop in use than stand empty.
- I also note a Barbers is proposed for this building. Birstall currently has 5 Barber shops within the village centre, with one already opening 7 days per week, and another 3 within a 5min walk from the centre. Birstall is saturated with Barbers, this makes the village unattractive to new investors when there are so many businesses offering the same thing, a lack of retail diversity will deter people from spending money in the area.
- The last thing Birstall needs is yet another barbers shop. There are 4 already in the centre of the village surely this is enough. Can't we have a Greggs?
- Does Birstall really need another barbers also when other amenities are further required... I strongly object to this going ahead.
- Birstall does not need or want another barbershop. We already have enough existing barbers who service the community.
- This will damage their existing businesses and also damage the traditional feel of our village making Birstall like Batley and losing its identity.
- No one wants this in Birstall.
- Birstall has several barbers and hairdressers and we do not need another one.
- We certainly do not need another barbers. The shop should be but back to original state.
- I do not think yet another barbers is a useful addition in Birstall.
- We do not need any more barbers in Birstall, there are enough already, adding another one puts the already established businesses at risk. Keep our village how it is and not spoil the look and community any more than it already has been.
- The area is becoming dominated by an excessive number of barber shops (currently 4) and takeaways. This imbalance is spoiling the traditional atmosphere of the market and displacing the varied retail shops that residents rely on. The council should prioritize retaining a healthy mix of businesses rather than allowing a monoculture of service unit.
- Birstall is a village with quirky shops supermarkets hairdressers pubs clubs and unique bars with a little bit of something special for everyone, Barbers chemist it does not need another Barbers vape shop or hairdressers in the village the old chemist is part of Birstall heritage.
- You hardly ever see anyone in the Barbers in the village so how do they make a living as it is, so why would we need another.

- It's a small village with a great butchers, bakers, supermarkets, quirky health and beauty salons, it is a busy little village we want to keep it that way.
- We don't need any more Barbers, stop it before it is too late.
- It just becomes a cover up for something else, you cannot pay out all that money a month for over heads and have no customers coming in and not having some other sidelines.... stop letting people pull the wool over your eyes.
- Birstall is a small village and it does not need yet another barbers or vape shop. Most of these are empty most of the time anyway!
- Birstall does not need yet another Barbershop in the centre.
- Nobody in the area wants Birstall to look like Blackpool lights.
- This should not go ahead. There are enough barber's in Birstall.
- This shop is going to be another barbers which we have 7 barbers within less than a mile of each other. This is not in keeping with the local area and will destroy the look and feel of our beautiful village.
- We have no need for another barbers or another vape shop. We need real shops in keeping with the village and conservation area
- Birstall and the surrounding areas is already saturated with barber shops and the hair trade.
- Trying to shop locally and supporting local businesses is becoming a task in this village impacting business and struggling as a result. Another Barber shop in the village will not benefit the community in Birstall as we have several already.
- There are 7 plus barber shops in Birstall alone and another 3 in the surrounding areas. Birstall village and its shoppers will not benefit from another Barber shop.
- Birstall is a historic village which should be preserved that way encouraging shops that will benefit a variety of shoppers and with that in mind and a view of too many of the same shop pushes business away and impacts what's already there.
- Birstall village has enough barbers.
- Birstall has worked hard to maintain its charm as a small village and its diversity of shops available to the community. Birstall already has several barber shops and facilities as well as many being a short distance away in Batley, so another potential site would not be needed.
- Do the Council no longer consider what businesses are already in the immediate vicinity? Surely opening a new business is to make a living/profit.
- There are already 'several' Barbers/hair salons in the town centre. Allowing yet another Barbers to open in the village is futile.

- Would the Council not consider doing a poll to find out what local people would like to see in the village? This would seem to be the way forward and help the village and surrounding area grow
- Have you noted just how many barbers shops, hairdressers are already in Birstall? Too many is the answer.
- The barbers shops that already exist are totally empty most days which makes me wonder how they keep going, are these money laundering businesses?
- This business is of no value to a small community like Birstall who could do with a wider variety of shops to benefit our elderly community.
- This is a small village that the people of Birstall want to be proud of and where there are a variety of shops for everyone of any age that are in keeping with our local history.
- Birstall village does not need another barber shop.
- I believe that approving another barbershop in an area already saturated with similar businesses would offer no tangible benefits and would indeed pose several harms as it would; strain existing hair establishments in and around Birstall Centre, erode the diversity of the high street, cause a deficit in customers for the high street (reduced footfall) and go against clear public sentiment.

Officer Response: *The application relates to a replacement shop front and shutter and has been assessed on this basis. Any unauthorised works would be subject to investigation by the Council's Enforcement Team.*

General Comments (2 Representations)

- There is an error in the submission. 156 sqm is nonsensical. This is an application for a barbershop not the Tardis. The applicant needs to re submit. The correct answer is 0 sqm change.
- The submitted heritage statement is incorrect and appears to have been written by AI.
- Although this building is a positive building within the Birstall conservation area it is not listed and it is queried why the application was validated with such a poor justification statement.
- The shopfront appears to date from the early 20th century and maintains stained glass panes to its upper part. These elements should be retained as should all other elements of the remaining shopfront.
- As a result, this scheme should result in repair rather than replacement. Although the fascia sign should be reduced to enable the stained glass to be maintained and visible.
- On the roller shutter this should be internally mounted only as an external, solid shutter will harm the character of the area.

Officer Response: *The application relates to a replacement shop front and shutter and has been assessed on this basis. Revised drawings have been received during the course of the application and the external roller shutter has since been replaced with an internal shutter. Whilst officers note inaccuracies within the heritage statement. To clarify, the building is located within the Birstall Conservation Area, however, it is not a Grade II Listed Building as referenced within the submitted plans and documentation.*

6. Conclusion

This application for the installation of a replacement shop front and internal shutter at 8 Market Place 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. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered 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. This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation - Delegated Powers

Application Number: 2025/93140

Officer Recommendation: Approve

Conditions and Reasons

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, LP7, LP13, LP14, LP21, LP22, LP24, LP30, LP35 and LP52 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

2. No works shall continue until the heritage colour of the shopfront hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and retained as such.

Reason: This pre-commencement condition is necessary in the interests of visual amenity, to ensure the satisfactory appearance of the development on completion and to retain the significance of the Birstall Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, as well as Chapters 12 and 16 of the NPPF.

3. No works shall continue until sections at a scale 1:5 of the proposed timber mullions and shop front have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and retained as such.

Reason: In the interests of visual amenity, to ensure the satisfactory appearance of the development on completion and to retain the significance of the Birstall Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, as well as Chapters 12 and 16 of the NPPF.

4. The stall riser hereby approved shall be clad in tiles to match existing, or natural stone or timber. These details shall be submitted and agreed in writing with the Local Planning Authority prior to works continuing. Thereafter the development shall be carried out in accordance with the approved details and retained thereafter.

Reason: This pre-commencement condition is necessary in the interests of visual amenity, to ensure the satisfactory appearance of the development on completion and to retain the significance of the Birstall Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, as well as Chapters 12 and 16 of the NPPF.

5. The shop front, fascia and mullions shall be constructed of timber and retained thereafter.

Reason: In the interests of visual amenity, to ensure the satisfactory appearance of the development on completion and to retain the significance of the Birstall Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, as well as Chapters 12 and 16 of the NPPF.

6. The existing timber fascia, console brackets and pilasters shall be retained in situ.

Reason: In the interests of visual amenity, to ensure the satisfactory appearance of the development on completion and to retain the significance of the Birstall Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, as well as Chapters 12 and 16 of the NPPF.

7. The existing door shall either be retained, or the new door shall be constructed in timber and shall match the existing door exactly.

Reason: In the interests of visual amenity, to ensure the satisfactory appearance of the development on completion and to retain the significance of the Birstall Conservation Area and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, as well as Chapters 12 and 16 of the NPPF.

NOTE: An internal shutter box and perforated (see-through) shutter, finished in black, set back inside the glass may be allowed.

NOTE: Any form of illuminated signage (internal or external) needs Advertisement Consent. Hand-painted sign lettering or high quality applied metal letters would be encouraged that complies with the Advertisement Regulations.

NOTE: The application of internal vinyl advertisements is not encouraged and the applicant should check prior to application of any further adverts.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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.

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. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan	PP-14480346v1	-	05/01/2026
Existing Front Elevation	EX-Front-Market place	-	26/03/2026
Demolition Plan & Elevation	PP-Front-Market place	-	26/03/2026
Proposed Front Elevation	PP-Front-Market place	-	26/03/2026
Proposed Front Elevation	PP-Front-Market place	-	26/03/2026

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 2024 and otherwise actively engaged with the applicant in dealing with the application. The Case Officer undertook negotiations with the applicant to secure amended plans. The revised drawings received were considered acceptable with regard to visual amenity and historic environment. The applicant has confirmed their agreement to the pre-commencement conditions.

Report Dated: 15/07/2026

