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:	**2026/62/90472/E**
Site Address:	The Royal Air Forces Association, Broughton House, Cambridge Street, Batley, WF17 5JH
Description:	Change of use from private members club (sui generis) to mosque with school (Class F1) (within a Conservation Area)
Recommending Officer:	Elenya Jackson

DECISION – Conditional Full Permission

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

Sarah Longbottom

AUTHORISED OFFICER

Date: 29 May 2026

Officer Report

Reference: 2026/90472

Location: The Royal Air Forces Association, Broughton House, Cambridge Street, Batley, WF17 5JH

Proposal: Change of use from private members club (sui generis) to mosque with school (Class F1) (within a Conservation Area).

Site Description

The Royal Air Forces Association, Broughton House, Cambridge Street, Batley, WF17 5JHa is a two storey former church that has operated under the RAF since 1974.

The building is a stand alone structure which is set above Cambridge Street in Batley and is located 97m north of Wellington Street.

The immediate building group of the site is mixed use, with Cambridge Street School to the south, New Way car park to the north-west, Batley Library to the north and the building faces onto Batley Memorial Park.

The site is located within the Batley Conservation Area.

Description of Proposal

Planning permission is sought for the change of use from private members club (sui generis) to mosque with school (Class F1) (within a Conservation Area).

Details of the proposed internal layout of the building have not been provided.

History of Negotiations / Amendments

Officers requested clarification on the number of individuals attending the site and how the site would operate.

Relevant Planning History

N/A

Representations

The application was publicised by site notice and press advert, which expired on 2nd April 2026. As a result of the above publicity, 14 representations have

been received. Three of these are in support of the application. The material planning considerations raised are summarised below:

- Parking
- Proliferation of community facilities
- Congestion
- Noise
- Impact on Conservation Area

Consultation Responses.

KC Highways Development Management – Following the provision of additional information, no objections.

KC Designing out Crime- No objections but additional measures are recommended.

The responses of the above consultees are discussed in greater length within the 'Assessment' section of this report.

Policy.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees Local Plan.

The site is located within an area identified by the Mining Remediation Authority, as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP7 – Efficient and Effective Use of Land and Buildings
- LP20 – Sustainable Transport
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP35 – Historic Environment
- LP48 – Community Facilities and Services
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and improvement of Environmental Quality

Supplementary Planning Documents:

- Kirklees Highway Design Guide (adopted November 2019)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- 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

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 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.

Legislation:

- The Town & Country Planning Act 1990 (as amended).
- The Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 The Planning and Compulsory Purchase Act 2004.

Assessment.

The following matters that will be considered as part of the assessment of the proposal are set below. These considerations will be looked at in detail individually:

1) Principle of Development
2) Impact on Visual Amenity and Historic Environment
3) Impact on Residential Amenity
4) Impact on Highway Safety
5) Other Matters
6) Representations
7) Conclusion

1) Principle of Development

Chapter 2 of the NPPF states that: *"Planning policies and decisions should play an active role in guiding development towards sustainable solutions…"*

Chapter 2 of the NPPF goes onto further state that objectives should: *"support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment…"*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *"…the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF."*

Policy LP1 goes further and states: *"The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."*

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".*

The development is for the use of the building for education purposes and a community facility.

Policy LP7 of the Kirklees Local Plan requires developments to encourage the reuse or adaptation of vacant or underused properties.

Policy LP48 of the Kirklees Local Plan details that community facilities should be provided in accessible locations where they can minimise the need to travel or they can be made accessible by walking, cycling and public transport. This policy details that such facilities will normally be in town, district or local centres.

Local Plan Policy LP48 is also particularly relevant in this situation as it outlines the general principles for assessing applications relating to community facilities and services:

"*Community facilities should be provided in accessible locations where they can minimise the need to travel or they can be made accessible by walking, cycling and public transport. This will normally be in town, district or local centres.*

Proposals will be supported for development that protects, retains or enhances provision, quality or accessibility of existing community, education, leisure and cultural facilities that meets the needs of all members of the community."

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

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

b. its current use is no longer viable; or

c. there is adequate alternative provision in the locality to serve the local community which is in an equally accessible location; or

d. an alternative facility of equivalent or better standard will be provided, either on-site or equally accessible; and

e. any assets listed on a Community Asset Register have satisfied the requirements under the relevant legislation

Officers consider that the proposed use will be involve a community facility in the form of a place of worship which is considered to comply with Policy LP48 of the Kirklees Local Plan, as the site was originally constructed as a church and has recently been used by The Royal Airforce and could be rented out for private events.

Evidence has been provided to demonstrate that the former use was considered unviable due to the need for extensive repairs to the building.

This application seeks planning permission to change the use of the building from a sui generis use into a F1 community use. Paragraph 135(c) of the NPPF sets out that *'planning policies and decision should ensure that developments are sympathetic to the local character and history, including the surrounding built environment and landscape…'* Given the context of the existing uses of the application site and the surrounding premises which are mixed use in a Town Centre and that the use of the building subject of this application has previously been in use as a community facility in association with The Royal Airforce, the proposal would accord with Paragraph 135(c) of the NPPF.

Furthermore, for the aforementioned reasons, the proposal would also comply with Paragraph 135(f) of the NPPF, which seeks to *'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users….'*

Therefore, the principle of establishing an alternative community use within Batley Town Centre would accord with policy LP24 of the Kirklees Local Plan, Chapters 12 and 15 of the National Planning Policy Framework.

1) **Impact on Character and Appearance of the Area and the Historic Environment**

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly Policy LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Policy LP24 states that all proposals should promote good design by ensuring the following:
"a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…
c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details…"

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that, for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Policy LP35 of the Kirklees Local Plan states that: *"development proposals affecting a designated heritage asset…should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.*

As there are no alterations proposed to the external elevations of the building, the access, or the hard standing associated with the proposal, it is considered that no significant issues would arise regarding the visual impact of the proposal.

Preventing the building from falling into disrepair in the Conservation Area would constitute a public benefit which would outweigh the less than substantial harm caused by the change to the use of the building and would retain the architectural merits of the building. In addition, the change of use of the building to an F1 use would restrict any permitted development rights to the building and would allow for future control of any proposed alterations. Therefore the proposal would be considered to be in accordance with Policies LP24 and LP35 of the KLP and guidance contained within Chapters 12 and 16 of the NPPF.

In summary therefore, it has been concluded that the proposals would not cause detrimental harm to the visual amenity of the area or character of the Conservation Area . The proposed development is considered to comply with

Chapters 12 and 16 of the NPPF and Policies LP2, LP24 and LP35 of the Kirklees Local Plan.

2) **Impact on Residential Amenity**

Section B and C of LP24 states that alterations to existing buildings should: *"…maintain appropriate distances between buildings"* and *"…minimise impact on residential amenity of future and neighbouring occupiers."*

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

Paragraph 198 of the NPPF, contained within Chapter 15, sets out that proposals should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development. Policy LP52 of the Kirklees Local Plan seeks to ensure that, amongst other things, the impact from noise for new development is acceptable.

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, 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.

The proposal would not increase the footprint of the building or add any additional openings/fenestration; therefore, it is considered that no significant issues would arise regarding overshadowing/loss of light/overbearing impact.

Upon consultation with KC Environmental Health, no further conditions are considered necessary, in respect of noise management, taking into account the location of the site.

Subject to the conditions set out above, it is considered that the proposal would not have an unacceptable impact on the residential amenity of neighbouring residents in terms of overlooking, overshadowing, loss of light/overbearing or noise disturbance.

For these reasons, the proposal is considered to have an unacceptable impact on residential amenity in relation to noise disturbance and would fail to accord with Policies LP24 & LP52 of the Kirklees Local Plan and Chapters 12 & 15 of the NPPF.

Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide seeks to ensure

acceptable levels of off-street parking are retained, is also considered to be of relevance.

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."*

KC Highways Development Management (HDM) have been informally consulted on the proposal on 1/04/2026 and 15/04/2026.

Officers requested clarification on the operation of the site and the number of individuals attending the premises.

The agent has confirmed that the Mosque and Madrassa operated by Al Hashim Academy would be relocated into the proposed building and Cambridge Street School would be retained in its existing location.

The agent confirmed that the 60 pupils and two teachers that attend the Madrassah in its current location would be relocated to the application site and that overall, the maximum number of individuals attending the site would be 250.

KC Highways have reviewed the details provided in the context of the site's town centre location and parking within the vicinity and have no further comments to make.

It is therefore considered that the development would not result in significant harm to highway safety, and would comply with policies LP21 & LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF.

3) 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 predates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Considering the small-scale of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs any further mitigation to address the climate change emergency.

The proposed development would therefore comply with Policy LP51 of the KLP and Chapter 14 of the NPPF.

Safety and Security:

Section 17 of the Crime and Disorder Act 1998 places a duty on each local authority to 'do all that it reasonably can to prevent crime and disorder in its area'. Section 8 ('Promoting healthy and safe communities') of the National Planning Policy Framework states at paragraph 96 that there should be an aim to achieve healthy, inclusive and safe places which: (b) are safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

Policy LP24 sets out that proposals should promote good design by ensuring the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features.

Advivce has been provided by the Designing Out Crime officer which sets out all the measures considered prudent to minimise the risk of crime and meet the specific security needs of the application site and the development. This scheme would need to include details of security measures, including, but not limited to, CCTV systems and their location around the premises.

Subject to inclusion of the above measures, the proposal would accord with Policy LP24 of the Kirklees Local Plan and the policies contained within Chapters 8 and 12 of the NPPF.

4) Representations

In response to publicity, 11 objections were submitted with the following concerns:

Parking

Officer response: The application has been viewed by KC Highways and concerns regarding highway safety, and it is considered that the site is located within Batley Town Centre with parking in the vicinity and KC Highways have not raised any objections.

Noise

Officer response: The property is within Batley Town Centre and is a detached building with residential properties located a reasonable distance away. Officers will add an informative on the decision notice advising the applicant of the Environmental Protection Act 1990.

Loss of historical significance/impact on building

Officer response: The proposal would not require any external alterations and would allow for the continued use of the building to prevent it from falling into disrepair.

Congestion
Officer response: The application has been viewed by KC Highways and due to the site being in a town centre KC Highways have not raised any objections.

Proliferation of community facilities
Officer response: This comment is noted; however, this is not a material planning consideration and officers therefore have no further comments.

Conclusion.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice. This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval

Recommendation: Approve

Decision Authorisation – Delegated Powers
Application Number: 2026/90472
Officer Recommendation: Approve

Conditions and Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.
   Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
   Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

NOTE: This application does not include any permissions for signage / advertisements. Separate permission will be required for any signs / advertisements via an Advertisement Consent application.

NOTE: The granting of permission does not override the requirements of the Wildlife and Countryside Act 1981 (as amended) or the Conservation of Habitats and Species Regulations 2017 (as amended). The applicant is reminded that, under these Acts, it is an offence to kill, injure or disturb bats, or to damage or destroy the breeding sites or resting places of bats or wild birds. If bats or evidence of bats are discovered during works, all works should cease immediately, and the advice of a suitably qualified ecologist should be sought.

NOTE: No construction related noise shall be audible beyond the site boundary outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays. To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan.

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: 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.

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	Version	Date Received
Location Plan	25342-D01	A	18.02.2026
Site Plan	25342 - D02	A	18.02.2026
Existing Plans	25342 - K01	A	18.02.2026
Proposed Plans	25342 – K02	A	18.02.2026
Planning and Heritage Statement	hk/O/Btly/CmbrdgSt/APC/16.02.26	17th February 2026	18.02.2026
Climate change statement		18.02.2026	18.02.2026

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 Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and Officers requested clarification on the number of individuals attending the site and how the site would operate.