



PLANNING AND HERITAGE STATEMENT

Addition of cladding to rear elevation of house in multiple occupation

**143
Upper Commercial Street
Batley
WF17 5DH**

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1 INTRODUCTION

Context

- 1.1 This Planning Statement has been prepared by DPA Planning Ltd on behalf of Mr Sprawka (the "Applicant") to accompany a planning application for the addition of cladding to a house in multiple occupation (the "Proposed Development") at Commercial Road, Batley (the "Application Site").
- 1.2 Following the approval of application 2025/62/91650/E in November 2025, the Applicant has started works on site to change the use of the former public house into a house in multiple occupation. On inspection of the rear elevation, the existing stone wall is not considered to meet the required standards and replacement or corrective measures are not considered commercially viable, therefore an alternative protective cladding has been proposed to secure the future use of the building. Due to the nature of the last application is not considered that this can be done under an amendment and as time is of the essence to make it suitably watertight a full application is submitted for this element only.

Site Context

- 1.3 The application site is a former Public House approved for change of use to a house in multiple occupation. Located south of Upper Commercial Street in central Batley. The surrounding uses to the application site are mixed commercial and residential uses.
- 1.4 The application site is located within the Batley Market Place Conservation Area.



Figure 1.1: Application site in context

Proposed Development

- 1.5 The proposed development seeks permission to add zinc cladding to the rear elevation stonework.
- 1.6 The stonework needs to be reinforced with the proposed cladding in order to provide suitable energy performance for the approved house in multiple occupation.
- 1.7 The proposed zinc cladding enables seamless transitions between the roof and the wall, this therefore enhances the weather protection, shielding the stonework from further degradation, whilst significantly enhancing the insulation to meet modern energy efficiency standards.
- 1.8 The zinc cladding proposed will not require maintenance such as repointing or cleaning, with the materials expected to last approximately 100 years without rusting fading or painting.
- 1.9 There are no other alterations proposed with this application seeking consent solely for the addition of the cladding to the stonework of the rear elevation only as detailed in the supporting plans.

Planning History

- 1.10 The application site has the below relevant planning history;
 - 2025/62/91650/E - Change of use of former public house (sui generis) to House in Multiple Occupation (within a Conservation Area) – Approved 26th November 2025
 - 2024/62/92349/E - Change of use of former public house to 4 flats (C3) (within a Conservation Area)- Approved 24th October 2024

2 PLANNING POLICY

Kirklees Local Plan

- 2.1 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.
- 2.2 The Kirklees Local Plan was adopted on 27th February 2019. The relevant policies of the Local Plan include:
- LP1 – Achieving Sustainable Development
 - LP13 – Town Centre Uses
 - LP 15 - Residential use in town centres
 - LP24 – Design
 - LP35- Historic Environment
 - LP52 – Protection and Improvement of Environmental Quality
- 2.3 Other relevant local guidance includes:
- Housebuilders Design Guide (2021)
 - Amenity Standards for Houses in Multiple Occupation.

National Planning Policy Framework & Guidance

- 2.4 Relevant Government planning policy is now contained largely within the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- 2.5 Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

2.6 Paragraph 11 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision taking. For decision-taking this means approving development proposals where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.7 Paragraph 135 of the NPPF states that policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Legislation and the NPPF

- 2.8 The duty of the Council as a Local Planning Authority is set out in paragraphs 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The duty in relation to Listed Buildings is to preserve its setting or any features of special architectural or historic interest which the building may possess. Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

3 PRINCIPLE OF DEVELOPMENT

Acceptability in Principle

- 3.1 In the case of this application, the host property is not listed however it lies within the Batley Market Place Conservation Area. The proposal is considered to cause "less than substantial harm, with minimal external alterations to the rear elevation only.
- 3.2 The stonework needs to be reinforced with the proposed cladding in order to provide suitable energy performance for the approved house in multiple occupation. The proposed zinc cladding enables seamless transitions between the roof and the wall, this therefore enhances the weather protection, shielding the stonework from further degradation, whilst significantly enhancing the insulation to meet modern energy efficiency standards.
- 3.3 There are no other alterations proposed with this application seeking consent solely for the addition of the cladding to the stonework of the rear elevation only as detailed in the supporting plans.
- 3.4 The proposed alterations will not affect the significance of the heritage asset" as set out in Paragraph 205 of the NPPF. The harm should therefore be weighed against the public benefits of the proposal. In this case, the minimal harm of the works does not outweigh the public benefits of protecting the existing stonework as well as enhancing the insulation of the property along with the continued use and maintenance of the former vacant building within the Conservation Area.
- 3.5 For these reasons the proposed development is considered acceptable in principle subject to an assessment against other material planning considerations which are discussed in turn as follows.

4 OTHER MATERIAL PLANNING CONSIDERATIONS

Visual Amenity

- 4.1 Paragraph 135 of the NPPF sets out that decisions should ensure that, amongst other things, developments are sympathetic to local character, including the surrounding built environment.
- 4.2 Kirklees Local Plan policies LP1, LP2 and LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.
- 4.3 The proposed addition of zinc cladding to the rear elevation only would not be noticed from the street scene or wider vantage points within the Conservation Area. Moreover, bringing the vacant site into use would bring some improvement to visual amenity through the management maintenance and upkeep of the building and surrounding site.
- 4.4 The addition of zinc cladding would add a modern material finish to the rear elevation with the stonework behind remaining protected from further weathering. The visual impact of the new rear elevation materials would be seen as an investment into improving the former vacant property. The zinc cladding as proposed will significantly improve the buildings thermal efficiency and weather resistance without harm to the visual amenity of the area.
- 4.5 The development would be in keeping with the character of the surrounding area and therefore acceptable in terms of visual amenity and compliant with Policy LP24 and LP35 of the Local Plan as well as the NPPF.

Residential Amenity

- 4.6 Local Plan Policy LP24 as well as Paragraph 135 of the NPPF, seek to ensure that developments 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.
- 4.7 The investment to add zinc cladding as proposed will significantly improve the buildings thermal efficiency and weather resistance without detriment to the views from the south east and Russel Close and south west at Mayman Close.

The zinc cladding is installed pre-weathered with a dull, matte finish that absorbs rather than reflecting sunlight, resulting in there being no risk of residential amenity harm through glare or light pollution. The cladding will not rust, fade or require painting, providing a high quality functional addition to the building.

- 4.8 It is not considered that the addition of the cladding would have a negative effect on adjacent neighbours.

5 CONCLUSION

- 5.1 Paragraph 38 of the NPPF states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It goes on to state that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.2 In the case of this application, the host property is not listed however it lies within the Batley Market Place Conservation Area. The proposal is considered to cause "less than substantial harm, without affecting the significance of the heritage asset" as set out in Paragraph 205 of the NPPF. The harm should therefore be weighed against the public benefits of the proposal. In this case, the minimal harm of the works does not outweigh the public benefits of provision of housing and the continued use and maintenance of the building within the Conservation Area.
- 5.3 It is considered that, on balance, the development complies with the aims and intentions of all relevant policies and would not result in adverse visual amenity, residential amenity or highway safety impacts. As such it is recommended that Planning Permission be granted.

