

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:	2026/62/91118/E
Site Address:	Upper Soothill Community Centre, 1039, Leeds Road, Woodkirk, Dewsbury, WF12 7HY
Description:	Erection of two storey front and side extensions with perimeter fencing, access gates and associated alterations (part retrospective)
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: 02 July 2026

Officer Report.

Reference: 2026/91118

Location: Upper Soothill Community Centre, 1039, Leeds Road, Woodkirk, Dewsbury, WF12 7HY

Proposal: Erection of two storey front extension with perimeter fencing, access gates and associated alterations (part retrospective)

Site Description.

The application site was formerly a public house called 'Babes In The Wood' and is located at 1039, Leeds Road, Woodkirk, Dewsbury, WF12 7HY. The building has previously received planning permission for the change of use of the building into a community facility. The application property is a stone built detached building which is surrounded by hard standing with parking provision to the rear of the property.

The site is situated on the junction of Leeds Road and Soothill Lane and is predominantly bordered by residential properties which is reflective of the wider character of the area, however there is an area of undeveloped land to the north-east of the site.

The site is situated to the north-east of Dewsbury Town Centre, with the railway station being located 2.7m from the application site.

The character of the area is not uniform in appearance with dwellings of varying scale, design and age bordering the site; however, the majority of properties are semi-detached and follow a set building line. The material palette of the area is stone and red brick.

The site is located within the Green Belt.

Description of Proposal.

This application has been received for the erection of two storey front and side extensions with perimeter fencing, access gates and associated alterations (part retrospective).

The proposed front extension would extend 1.5m beyond the principal elevation of the building and have a width of 6.5m.

The proposal would also amend the fenestration on the existing building.

Finally, the proposal would include the enclosure of the site via the erection of paladin fencing.

History of Negotiations / Amendments.

Officers requested the removal of the side extension. Amended plans were forthcoming and the application was progressed on this basis.

Relevant Planning History.

2025/90711: Erection of two storey extension to front and associated alterations. Conditional full permission.

2025/90584: Discharge of details reserved by conditions 4 (Noise Management Plan) and 5 (sound attenuation scheme) of previous permission 2023/90434 for change of use of ground floor of vacant public house (Sui Generis- drinking establishment) to community centre with a small prayer room (Class F1). Discharge of conditions approved.

2023/62/90434/E: Change of use of ground floor of vacant public house (Sui Generis- drinking establishment) to community centre with a small prayer room (Class F1). Conditional full permission.

88/01630: Change of use of part of dwelling extension to public house - Granted Conditionally

88/03665: Erection of illuminated signs - Granted conditionally.

Representations.

The application was publicised by site notice, which expired on 2nd April 2026. As a result of the above publicity, 6 representations have been received, three of these are objecting to the proposal for the following concerns:

- Parking
- Highway safety
- Misleading information being provided to support the application regarding the operation of the site.
- Poor design

Amended plans were provided during the course of the application; however, these were not re-advertised as they resulted in a reduction in the scale of the development on site.

Councillor Zaman and Councillor Aziz provided comments in support of the application.

Consultation Responses.

KC Highways Development Management – No objection.

KC Designing out Crime Officer - 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 located in the Green Belt 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 – Presumption in favour of sustainable development
- LP2 – Place shaping
- LP7 – Efficient and effective use of land and buildings
- LP21 – Highways and access
- LP22 – Parking
- LP24 – Design
- LP48 - Community facilities and services
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality
- LP57- The extension, alteration or replacement of existing buildings

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

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”*.

As previously highlighted the development is located in the Green Belt.

Chapter 13 (Protecting Green Belt Land) of the National Planning Policy Framework (December 2024) is therefore relevant as this sets out at Paragraph 142 that the Government attaches great importance to Green Belt Land. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The NPPF goes on to establish that the purposes of the Green Belt are:

- a) to check the unrestricted sprawl of large built-up areas;
- a) to prevent neighbouring towns merging into one another;
- b) to assist in safeguarding the countryside from encroachment;
- c) to preserve the setting and special character of historic towns; and
- d) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 153 states that *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness (footnote 55).*

Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF refers to exemptions to these criteria and outlines . Development in the Green Belt is inappropriate unless an exemption applies.

Officers consider that the following exemption is relevant in this instance:

(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. This is supported by Policy LP57 of the Kirklees Local plan which refers to extensions and alterations to a building within the Green Belt and states that the existing building should remain the dominant element and the proposal should not result in a greater impact on openness.

It is considered that the footprint of the development would only be marginally larger than the two storey projection approved under application 2025/90711 and therefore would not have a substantial impact on the Green Belt.

Therefore, the principle of an extension to the building could be considered acceptable; however, a more detailed assessment of the proposal’s design and its impact on the surrounding environment, assessed against Policy LP24 of the Kirklees Local Plan amongst other Policies, is undertaken below.

1) Impact on Character and Appearance of the Area and the Green Belt

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...”*

A previously highlighted, Policy LP57 of the Kirklees Local Plan refers to extensions and alterations to a building within the Green Belt and states that the existing building should remain the dominant element and the proposal should not result in a greater impact on openness.

The site is located within a reasonably built up street scene; the immediate vicinity of the site is not uniform in appearance in terms of scale, architectural details or use of the site.

Officers have reviewed the most recent planning history for the site which was for a two storey front extension which was assessed as follows:

“The scale and location of the proposal would result in it being relatively prominent from the public realm and whilst contemporary in appearance, the proposed built form would not be considered out of keeping with the wider site. It is also noted that the proposed extension would still be set down from the ridgeline of the host property and therefore would not add an overt vertical emphasis to the proposal.

The materials proposed for the extension are designed to harmonise with the historic building materials. It is recommended that the finishes of both the host building and the extension match, which can be ensured through appropriate conditions.

It is considered that the proposed extension would represent a marginal increase to the footprint of the dwelling, but it would not result in disproportionate additions over and above the size of the original building”.

The previously approved extension also extended 1.5m beyond the front of the host dwelling and had a width of 4m. The current scheme would have a width of 6.5m. It is considered that the proposed scheme would represent a marginal increase in footprint compared to that of the previously approved scheme.

The proposal also includes the erection of paladin fencing, which it is considered is appropriate given the use of the site and necessary to secure the security of the building and its users. Officers propose a condition that should the use of the building cease, the fencing is to be removed, in the interests of visual amenity.

Therefore, it is concluded that the proposed development would not appear out of place within the established built environment, in accordance with Policy LP24 and LP57 of the Kirklees Local Plan and chapters 12 and 15 of the NPPF in this regard.

In summary therefore, it has been concluded that the proposals would not cause detrimental harm to the visual amenities or character of the locality. 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.

Officers consider that the proposed extension would be located on the front of the host building and would not result in any significant overshadowing/loss of light or an overbearing impact on the residential amenity of neighbouring residents.

There are alterations to the existing windows on site proposed as part of the application; however, these windows would retain existing relationships and would not be any closer to neighbouring dwellings than the existing building; therefore, no concerns would be raised regarding overlooking.

Therefore, it is considered that the proposal would have no detrimental impact with regard to residential amenity, comply with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

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

KC Highways Development Management (HDM) have been informally consulted on the proposal as parking and highways concerns have previously been contentious at the site.

It has been considered that the proposal would not disrupt parking arrangements at the site or displace vehicles onto the highway. There are conditions attached to the previous permission for the change of use of the site as a community facility relating to opening hours and numbers of attendees which are relevant to highway safety. On balance, therefore, there are no objections to this proposal.

It is considered that the proposal would not cause harm to the safety or efficiency of the highway and would accord with Policies LP21 and LP22 of the Kirklees Local Plan.

It is therefore considered that the development wouldn't 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.

The Designing out Crime officer has advised that the applicant produces a scheme which sets out all the measures 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. As the use to which the current proposal relates was granted in 2023, the comments of the Designing Out Crime officer have been shared with the applicant's agent in this respect. This would ensure that safety and security measures have been considered by the applicant in pursuance of the Council's duty under Section 17 of the Crime and Disorder Act 1998 and to accord with Policy LP24 of the Kirklees Local Plan and the policies contained within Chapters 8 and 12 of the NPPF.

It is considered that the proposal would appropriately accord with the expectations of Section 17 of the Crime and Disorder Act 1998 as well as Policy LP24 of the Kirklees Local Plan and Chapter 8 of the NPPF.

4) Representations

In response to publicity, 3 objections were submitted with the following concerns:

- **Parking**
Officer response: the development would not result in the loss of parking provision on site and therefore no concerns are raised in this regard.
- **Highway safety**
Officer response: The proposal has been reviewed by KC Highways DM and deemed acceptable. Officers have reviewed the original decision notice for 2023/62/90434/E and consider that the proposal would not result in the breach of any conditions in association with the original permission.

- Misleading information being provided to support the application regarding the operation of the site.

Officer response: Application 2023/62/90434/E has conditions applied which set out the operation of the site. Condition 2 requires the proposal to be run in accordance with the planning statement to support that application. Officers consider that the proposal would not result in the breach of any conditions in association with the original permission and should the conditions of this permission not be adhered to, this should be reported to KC Planning Enforcement.

- Poor design

Officer response: amendments were made to the scheme during the course of the application and it is considered that the resultant proposal is not substantially different to that previously approved on site. A condition is also recommended requiring that the fencing is removed should the use of the site cease.

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: 2026/91118

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.

2. The fencing hereby approved and associated works shall be removed in its entirety prior to the expiration of 3 months from the date that the building ceases to be in use as a community facility.

Reason: In the interests of visual amenity and to accord with Policy LP24 and of the Kirklees Local Plan and advice within Chapters 12 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
Fence plans and location plan	001		05/05/2026
Plans as proposed	(20)001	A	30.06.2026
Elevations as proposed	(20) 002	A	30.06.2026
Elevations as proposed	(20) 003		30.06.2026
Existing plans	(20)001		05/05/2026
Existing north and south elevation	(20)002		05/05/2026
Existing east and west elevation	(20)002		05/05/2026

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. Officers requested alterations to the scheme due to concerns relating to the location and design of the side extension. Amended plans were provided and the application progressed.

