

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	2026/44/92301/E
Site Address:	Kami Healthcare Ltd, 8, Market Place, Birstall, Batley, WF17 9EL
Description:	Discharge of details reserved by conditions 2 (heritage colour of shopfront), 3 (sections of proposed timber mullions and shopfront) and 4 (stall riser details) on previous permission 2025/93140 for installation of replacement shop front and internal shutter (within a Conservation Area)
Recommending Officer:	Nicole Helliwell

DECISION – Discharge of Conditions - Approved

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 13-Oct-2026

Officer Report

Reference No. 2026/44/92301/E

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

Proposal: Discharge of details reserved by conditions 2 (heritage colour of shopfront), 3 (sections of proposed timber mullions and shopfront) and 4 (stall riser details) on previous permission 2025/93140 for installation of replacement shop front and internal shutter (within a Conservation Area)

Assessment

Condition 2 – Heritage Colour

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.*

Assessment of Condition 2

The applicant has confirmed that the shopfront would be finished in Dulux Matt Paint in the colour White Cotton. KC Conservation and Design have confirmed that the paint colour details provided are acceptable and as such, condition 2 can be discharged.

Condition 3 - Sections of Proposed Timber Mullions and Shopfront

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.*

Assessment of Condition 3

The applicant has submitted plans titled 'Detail A & Cross Section A-A' (dated 6th August 2026), 'Cross Section B-B' (dated 6th August 2026) and 'Cross Section C-C & Cross Section D-D' (dated 6th August 2026) in support of condition 3. KC Conservation and Design have confirmed that the proposed timber mullions either side of the central entrance doorway will have circular turned sections on a square base of a similar design to the previous shop front

which is acceptable. Therefore, the submitted details are considered acceptable for the purposes of Condition 3 and therefore the condition can be discharged.

Condition 4 – Stall Riser Details

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.*

Assessment of Condition 4

The applicant has submitted a plan titled 'Front Elevation' (dated 6th August 2026) in support of condition 4. The plan states that the proposed tiles will be of the same size, profile and type as the existing tiles. As such, KC Conservation and Design have no objection to the discharge of condition 4.

Decision Notice Text

Condition 2 - Heritage Colour

The applicant has confirmed that the shopfront would be finished in Dulux Matt Paint in the colour White Cotton. KC Conservation and Design have confirmed that the paint colour details provided are acceptable and as such, condition 2 can be discharged.

Condition 3 - Sections of Proposed Timber Mullions and Shopfront

The following information has been submitted:

- Detail A & Cross Section A-A (dated 6th August 2026)
- Cross Section B-B (dated 6th August 2026)
- Cross Section C-C & Cross Section D-D (dated 6th August 2026)

In conclusion, the submitted details are considered acceptable for the purposes of Condition 3 and therefore the condition can be discharged.

Condition 4 - Stall Riser Details

The following information has been submitted:

- Front Elevation (dated 6th August 2026)

In conclusion, the submitted details are considered acceptable for the purposes of Condition 4 and therefore the condition can be discharged.