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:	2017/44/94248/W
Site Address:	Leeds Road Retail Park, Leeds Road, Huddersfield, HD1 6PF
Description:	Discharge condition 8 (lighting) on previous permission 2016/92385 for variation of condition 2 (plans and specifications) on previous permission 2013/93415 for erection of Burger King restaurant with drive-thru service, car parking and associated development (Use Class A3/A5)
Recommending Officer:	John Ritchie

DECISION – details for condition 8 acceptable

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 16-Mar-2018

2017/94248 - Officer Report

This application relates to planning permission for the erection of a drive-thru restaurant and car parking at Leeds Road Retail Park, Leeds Road, Huddersfield– 2016/92385. The application seeks to discharge the following condition.

8. Details of the external lighting for the site shall be submitted to and approved in writing by the Local Planning Authority before development is brought into use. The details shall include the following information:

i) The type and location of the lighting to be installed

ii) The proposed design level of maintained average horizontal illuminance for the site

iii) The predicted vertical illuminance that will be caused by lighting when measured at windows of any properties in the vicinity

iv) Proposals to minimise or eliminate glare from the use of the lighting installation

v) The proposed hours of operation of the lighting

The lighting shall be installed in accordance with the approved details before the development is brought into use and operated in accordance with the approved details and retained thereafter.
***Reason:** In the interests of residential amenity and to accord with Policies BE1 and D2 of the Kirklees Unitary Development Plan and chapter 11 of the National Planning Policy Framework.*

Assessment

These details have been subject to discussion with the KC Pollution & Noise Officer. A revised lighting assessment has now been received and is considered acceptable. The submitted details show the proposed type and location of the lighting and confirm the hours of operation as between 21:30 and 05:30.

Decision Text

You have submitted the following:

- Drawing no D30413/JB/F dated 5 December 2017
- E-mail from Brian Edgecombe dated 9 March 2018 @ 17:51
- Response to KC Pollution & Noise Officer by NJL Consulting

These details are acceptable for the purposes of condition 8. The condition requires that the lighting is installed and operated in accordance with the agreed details and retained as such. The condition therefore endures for the

lifetime of the development and cannot be completely discharged at the present time.

Report Dated: 15-Mar-2018