

**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: 2019/62/91585/E

Site Address: land adj, 260, Bradford Road, Batley, WF17 6JD

Description: Erection of coffee shop with drive thru lane

Recommending Officer: Louise Bearcroft

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.

Julia Steadman

AUTHORISED OFFICER

Date: 23-Jul-2019

OFFICER REPORT

Site Description

The application site comprises an existing car park serving JD Gyms and Zucchini's restaurant of Batley located off the A652 Bradford Road. This site occupies an out of centre location between the local centres of Batley and Dewsbury. Within the application site are three rows of marked bays with some landscaping. The wider site operates an 'IN' and 'Out' arrangement with the current entrance located to the south of the restaurant. The application site is bounded by the gym and restaurant buildings to the north, by Batley Beck to the east, by an area of undeveloped land to the south and commercial buildings to the west. The site is unallocated on the Kirklees Local Plan.

Description of Proposal

The application seeks planning permission for the erection of a coffee shop (Starbucks) with drive thru lane which would operate 24 hours a day.

The proposed coffee shop building would be located in the northern portion of the site and have a gross external area of 175m². The proposed drive thru lane would be located to the rear of the building adjacent to the northern boundary. Access would be via a new vehicular access point off the A652 Bradford Road adjacent to the southern boundary of the site and a separate pedestrian access. 40 car parking spaces, including two disabled spaces would be provided within the site.

The coffee shop building would be single storey with a mono pitch roof and would be predominately glazed on the front elevation with aluminium powder coated frames and a vertical effect feature board. The side and rear elevations would be predominately clad in horizontal panels, dark grey in colour. The bin store would comprise an open yard secured by 2.6m high vertical boarding.

Some areas of landscaping are proposed along the northern and southern boundaries, and within the site.

History of negotiations/amendments received

Officers negotiated with the applicant to secure:

- Additional Evidence to support the Sequential Test; to include details of the catchment of the proposed business and a search of available sites in the local centre of Dewsbury.

Relevant Planning History

2016/91202 – Change of use from nightclub/music venue to gymnasium (Class D2) – Conditional Full Permission

2017/94062 – Discharge of conditions 5 (Japanese Knotweed) and 7 (Flood Mitigation) on previous 2016/91202 for change of use from nightclub/music venue to gymnasium (Class D2) – Approved

Representations

The application was advertised by neighbour letter and site notice with the final publicity date expiring 8th July 2019.

No representations have been received in response to this period of publicity.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

- **Police Architectural Liaison Officer** – No objections.
- **K.C. Ecologist** – No objections
- **K.C. Environmental Services** – No objections
- **K.C. Highways Development Management** – No objections
- **Lead Local Flood Authority** – No objections
- **K.C Policy** – No objections
- **Yorkshire Water** – No objections
- **Environment Agency** – No response

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.

Kirklees Local Plan (LP):

- **LP13** – Town Centre Uses
- **LP16** – Food and drink uses and the evening economy
- **LP20** – Sustainable Travel
- **LP21** – Highways and Access
- **LP22** – Parking
- **LP24** – Design

- **LP27** – Flood Risk
- **LP28** – Drainage
- **LP30** – Biodiversity and Geodiversity
- **LP33** - Trees
- **LP34** – Conserving and enhancing the water environment
- **LP52** – Protection and improvement of environmental quality
- **LP53** – Contaminated and Unstable Land

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 6** – Building a strong, competitive economy
- **Chapter 7** – Ensuring the vitality of town centres
- **Chapter 8** – Promoting health 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

Assessment

Principle of Development

The site is unallocated on the Kirklees Local Plan (KLP), however it proposes a main town centre use on a site located outside of the nearby local centres of Batley and Dewsbury. In accordance with Policy LP13 of the KLP main town centres uses shall be located within defined centres. Proposals for main town centre uses located outside of the defined centre boundaries require the submission of a Sequential Test to demonstrate that there are no suitable sites within existing centres. Main town centre uses shall be first located in the defined centres, then edge of centre locations and only if there are no suitable sites shall out of centre locations be considered.

The applicant has submitted a Planning Statement with details of a search for available commercial sites in the local centre of Batley, and an addendum with details of a search for sites in the local centre of Dewsbury. The applicant notes that the proposed development relies on a prominent/busy road side location accessible to local residents and business and roadside access for passing trips and requires a minimum site size. In the addendum it refers to the business drivers being 15,000 plus vehicles per day, all ways access for vehicles, convenient walk in access, good residential densities, a good concentration of surrounding commercial activity and a brownfield site.

The search of Batley Town Centre identified two possible sites, the first being the former Batley Working Men's Club on Wellington Street. This site is not considered to be suitable, as it is too small, on a lightly trafficked route and close to a junction. It is also in closer proximity to housing. The second is no.297 Bradford Road, this is discounted due to the size of the site.

The applicant was asked to consider available sites in Dewsbury. Using the same search criteria set out in the Sequential Assessment in terms of location and site area, this did not identify any suitable sites within or adjacent to Dewsbury Town Centre.

On the basis of the evidence provided it is considered that the sequential test has been met and there are no objections in principle to the proposed siting of a coffee shop with drive thru lane in this location. The proposal will provide an anticipated 5 full time and 15 part time jobs and will support economic growth in accordance with chapter 6 of the National Planning Policy Framework (NPPF). It is considered appropriate to include conditions to remove permitted development rights for change of use in the interests of protecting the vitality of local centres.

Highway Safety Issues

The proposal seek permission for the creation of a new vehicular access on to the A652 Bradford Road, and the application is accompanied by a supporting Transport Statement. Bradford Road is a 30mph two way single carriageway primary distributor road of approximately 8.5m width with footways on both sides and street lighting present. There is a hatched central reserve with pedestrian refuge points, No Waiting at Any Time TROs at the location of the proposed access, and bus stop markings approximately 50m to the north although the road no longer appears to carry a bus route.

Trip generation details have been provided as a TRICS report, however it is noted that this has been done for a fast food drive thru. This is considered to be an acceptable approach as there are no drive thru coffee shops available on TRICS and a fast food restaurant is the nearest comparable. There are some differences in habits for food consumption and coffee drinking however and the figures are treated with some caution as they may not mirror the exact same times of trip generation. In this case, the peak trip generation is between 17-19 trips, however it is noted the majority of these will be pass-by trips and not new trips on the highway network. It is therefore accepted that the trip generation will not have a severe impact on the operation of the local highway network.

The proposed access is considered acceptable both for geometry and visibility splay and there is a requirement for it to be constructed under a section 184 agreement of the 1980 Highways Act. The swept path analysis submitted was done for a car and a 7.9m refuse vehicle, whilst the council usually request an 11.85m refuse vehicle and suitable delivery vehicle. Highways DM have not requested further information or raised any objections

but note that if a delivery vehicle cannot negotiate the car park, deliveries should not be made from A652 Bradford Road for highway operational and safety reasons. The provision for waste collection is considered to be acceptable.

The parking provision for the proposed coffee shop is acceptable at approximately 40 spaces. The main concern is that the removal of approximately 80 spaces from the existing parking for the gym and restaurant would leave a shortfall for these uses. Calculations on the amount of spaces from the previous planning applications for the gym (250 spaces) and the restaurant (214 spaces) indicate that with the loss of 80 spaces, approximately 134 spaces will remain. A count of observable spaces from aerial photographs suggests there are currently around 225 spaces and so with 80 removed there will be approximately 145 spaces. A parking accumulation analysis was done using TRICS trip rate figures for gyms (fitness clubs) and restaurants and this suggested that with 134 spaces then the car parks would only ever reach approximately 56% capacity during the early evening. This indicates that the remaining parking provision will be adequate.

The blue line area of the application includes an additional 44 spaces that are currently available to the gym/restaurant and it is not made clear if these spaces will remain available. Even without these 44 spaces the remaining 90 spaces would be sufficient for the predicted demand.

To summarise, with the inclusion of appropriate conditions, there would be no detrimental impact on highway safety and the proposal would accord with policies LP21 and LP22 of the KLP.

Visual Amenity Issues

The proposed coffee shop building would be single storey with a mono pitch roof and would be predominately glazed on the front elevation with aluminium powder coated frames and a vertical effect feature board. The side and rear elevations would be predominately clad in horizontal panels, dark grey in colour. The bin store would comprise an open yard secured by 2.6m high vertical boarding. There are no objections to the proposed design of the building which would preserve the visual amenity of this mixed use area which is not characterised by one particular built-form / use of materials.

Some areas of landscaping are proposed along the northern and southern boundaries, and within the site. It is considered these areas would add some visual interest within the site and are welcomed.

In all, the proposals are considered acceptable from a visual amenity perspective and would accord with the aims of policy LP24 of the KLP and chapter 12 of the NPPF.

Residential Amenity Issues

It is proposed the site will operate 24 hours a day. Policy LP16 of the KLP states proposals for food and drink uses should take into account the impacts of noise, general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas. The surrounding area is a mixed use area with the nearest neighbouring residential properties being located to the south-west of the site: No's 287-295 Bradford Road.

Environmental Services were consulted for their comments and raise no objections, subject to the inclusion of a condition for the submission of a report specifying the measures to be taken to protect the occupants of these nearby noise sensitive premises from noise from the development. Subject to the inclusion of this condition such issues would be addressed and the proposal would comply with the aims of policies LP16 and LP52 of the KLP as well as chapter 15 of the NPPF.

With regard to the built-form, due to the separation distance that would be retained between the proposed drive-thru building and the residential properties, there would be no undue harm caused to the residential amenity of these occupants by virtue of either overbearing or overlooking impact, in accordance with the aims of policy LP24 of the KLP.

In all, subject to the inclusion of appropriate conditions, the proposals are considered acceptable from a residential amenity perspective, in accordance with policies LP16, LP24 and LP52 of the KLP as well as chapter 15 of the NPPF.

Flood Risk and Drainage Issues

The application site falls predominately in Flood Zone 2, classified as a medium risk and within a critical drainage area. Batley Beck is located to the east of the site and is classed as a main river and the application is supported by a Flood Risk Assessment and Drainage Strategy.

The Lead Local Flood Authority note surface water disposal should be carried out in accordance with the Flood Risk Assessment, namely a restricted discharge rate of 4.3 l/s. A detailed drainage plan is required with supporting calculations to be approved before development commences. They also advise a condition to secure a scheme to prevent fats, oils and grease entering the drainage network.

No comments have been received from the Environment Agency.

Subject to the inclusion of conditions, flood risk and drainage issues are addressed and the proposal is considered to comply with the aims of policies LP27 and LP28 of the KLP as well as chapter 14 of the NPPF.

Ecology Issues

An Ecological Report accompanies the application which confirms the majority of the site comprises concrete hardstanding and ornamental landscape planting. Along the western boundary are a line of Lime trees on a border of amenity grassland. It states the trees are in good condition offering no bat roost features, and as the carpark is currently floodlit, it provides low bat foraging and commuting potential. The report concludes that the proposal will have negligible impact on any protected habitats or species.

It does however identify the potential of the scrub and planted shrubs as a bird-nesting habitat and advises that if any works are planned during the bird nesting season, checks should be undertaken and where appropriate a safeguarding method statement agreed. The Council's Ecologist raises no objections and a condition will be included that the development be undertaken in accordance with the Ecological report so as to ensure compliance with the aims of policy LP30 of the KLP and chapter 15 of the NPPF.

Contamination Issues

The site is identified as potentially contaminated land and the application is supported by a Phase I Contaminated Land Report. Environmental Services have reviewed the report and agree with its conclusion. They raise no objections subject to the inclusion of a condition/s to secure a Phase II report and, where appropriate, remediation strategy. Subject to the inclusion of these conditions, contaminated land issues are addressed and the proposal would comply with the aims of policy LP53 of the KLP and chapter 15 of the NPPF.

Crime Prevention Issues

The West Yorkshire Police Liaison officer raises no objections to the proposed scheme. They make a number of recommendations regarding external lighting and surveillance which will be made available to the applicant. The proposal is considered to comply with the aims of chapter 8 of the NPPF in that crime and disorder, and the fear of crime, would not undermine the quality of life or community cohesion (paragraph 91 of the NPPF).

Other Matters

Drainage – Yorkshire Water raise no objections subject to conditions to secure separate systems of drainage for foul and surface water, and that no piped discharge of surface water shall take place until works to provide a satisfactory outfall for surface water have been secured, in accordance with the aims of policy LP34 of the KLP.

Trees – Having viewed aerial photographs of the site, mature trees were originally located along the frontage of the site with Bradford Road; these trees have since been removed. However, it does need noting that there is a

group of trees identified as being protected adjacent to the southern boundary of the site, adjacent to Bradford Road.

Having reviewed the proposals and, when taking into account the proposed area of landscaping immediately adjacent to the southern boundary of the site where the new access point would be positioned, there would be a sufficient separation distance retained between the protected trees and the proposed development so as to ensure that the protected trees would not be directly or indirectly threatened, in accordance with the aims of policy LP33 of the KLP.

In addition to the above, in the interest of amenity, the soft landscaping proposed, shall be conditioned (as previously stated).

Representations

No representations have been received.

Conclusion

In summary, on the basis of the evidence provided it is considered that the sequential test has been met and there are no objections in principle to the proposed siting of a coffee shop with drive thru lane in this location. The proposal will provide an anticipated 5 full time and 15 part time jobs and will support economic growth in accordance with chapter 6 of the National Planning Policy Framework (NPPF). There would be no detrimental impact on highway safety, visual amenity or residential amenity. Flood risk and contamination matters can be addressed by condition.

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 – Conditional Full Permission

Decision Authorisation - Delegated Powers

Application Number: 2019/62/91585/E

Officer Recommendation: Conditional Full Permission

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.

2. 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 Policies LP13, LP16, LP20, LP21, LP22, LP24, LP27, LP28, LP30, LP33, LP34, LP52 and LP53 of the Kirklees Local Plan as well as Chapters 6, 7, 8, 9, 12, 14 and 15 of the National Planning Policy Framework.

3. A report specifying the measures to be taken to protect the occupants of nearby noise sensitive premises at nos.287-295 Bradford Road, Batley, WF17 6LG from noise generated from the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first brought into use. The report shall include:

1. An assessment of noise emissions from the proposed development
1. Details of background and predicted noise levels at the boundary of nos.287-295 Bradford Road, Batley, WF17 6JG
2. A written scheme of how the occupants of nos. 287-295 Bradford Road, Batley, WF17 6JG will be protected from noise from the proposed development with noise attenuation measures as appropriate.

Thereafter the development shall not be first brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

Reason: In the interests of protecting the amenity of the occupants of noise sensitive premises and to accord with Policies LP16 and LP52 of the Kirklees Local Plan as well as the aims of Chapter 15 of the National Planning Policy Framework.

4. The coffee shop with drive thru lane hereby permitted shall not be brought into use until details of the installation and/or erection of any extract ventilation system, including details of the methods of treatment of emissions and filters to remove odours and control noise emissions have been submitted to and approved in writing by the Local Planning Authority and the works specified in

the approved scheme have been installed. Such works shall thereafter be retained, operated at all times when the coffee shop with drive thru lane is in use and maintained in accordance with the manufacturer's instructions.

Reason: In the interests of protecting the amenity of the occupants of neighbouring properties and to accord with Policies LP16 and LP52 of the Kirklees Local Plan as well as Chapter 15 of the National Planning Policy Framework.

5. Development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: To address contamination issues and to ensure that the site is fit to receive new development and to accord with Policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that all necessary remediation works are carried out where required at the appropriate stage of development.

6. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved subject to condition 5 development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To address contamination issues and to ensure that the site is fit to receive new development and to accord with Policy LP53 of the Kirklees Local Plan as well as Chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that all necessary remediation works are carried out where required at the appropriate stage of development.

7. Remediation of the site shall be carried out and completed in accordance with the

Remediation Strategy approved pursuant to condition 6. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all works on site (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the Local Planning Authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To address contamination issues and to ensure that the site is fit to receive new development and to accord with Policy LP53 of the Kirklees Local Plan as well as Chapter 15 of the National Planning Policy Framework.

8. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless

otherwise approved in writing with the local planning authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the local planning authority.

Reason: To address contamination issues and to ensure that the site is fit to receive new development and to accord with Policy LP53 of the Kirklees Local Plan as well as Chapter 15 of the National Planning Policy Framework.

9. The site shall be developed with separate systems of drainage for foul and surface water on and off site. Surface water disposal shall be carried out in accordance with the Flood Risk Assessment, produced by Curtins dated 11th February 2019, namely a restricted discharge rate of 4.3 l/s. Development shall not commence until a detailed drainage plan with supporting calculations is submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved drainage plan.

Reason: In the interest of satisfactory and sustainable drainage; to ensure that the development can be properly drained and no surface water discharge takes place until proper provision has been made for its disposal; and to accord with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that adequate drainage works are carried out at the appropriate stage of the development.

10. A scheme to prevent fats, oils and grease entering the drainage network serving commercial food preparation and dish-washing areas shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. Thereafter the approved scheme shall be implemented prior to first operation of the development and thereafter retained.

Reason: In the interests of protecting the drainage network and to accord with Policy LP34 of the Kirklees Local Plan as well as Chapter 14 of the National Planning Policy Framework.

11. A scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority before the electrical system is installed. The scheme shall meet at least the following minimum standard for numbers and power output:-

I) One Standard Electric Vehicle Charging Point (of a minimum output of 16A/3.5kW) for every 10 unallocated commercial parking spaces
Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.

Reason: In the interests of promoting modes of transport with ultra-low emissions and to accord with the sustainability principles of the National Planning Policy Framework.

12. The development shall be carried out in accordance with the approved landscaping and planting detailed on plan drawing 01. The scheme shall from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To mitigate against the impact of the development and to ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity and to accord with Policy LP24 of the Kirklees Local Plan as well as Chapter 12 of the National Planning Policy Framework.

13. The development shall be undertaken in full accordance with the Ecological Report and its conclusions and recommendations.

Reason: In the interests of protecting nesting birds and to accord with Policy LP30 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

14. The coffee shop with drive thru lane hereby approved shall, notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Act or Order with or without modification), not be used for any other use.

Reason: To protect the vitality and viability of existing centres because of the out-of-centre location of the site and to accord with Policy LP13 of the Kirklees Local Plan and Chapter 7 of the National Planning Policy Framework.

15. The bin storage area as indicated on the approved Proposed Block Plan shall be provided before the development hereby approved is first brought into use and thereafter retained.

Reason: So as to achieve a satisfactory layout in the interest of highway safety and to accord with the aims of Policies LP21 and LP24 of the Kirklees Local Plan.

16. The area indicated for deliveries / refuse collection as identified on the approved Proposed Block Plan shall be provided and marked out on site before the development hereby approved is first brought into use and thereafter retained.

Reason: So as to achieve a satisfactory layout in the interest of highway safety and to accord with the aims of Policies LP21 and LP24 of the Kirklees Local Plan.

17. The development hereby approved shall be completed using the materials specified on the Proposed Plans and Elevations drawing no.pln049.03 before the first use and thereafter retained.

Reason: In the interest of visual amenity and to accord with the aims of Policy LP24 of the Kirklees Local Plan as well as Chapter 12 of the National Planning Policy Framework.

NOTE: The changes to the access within the adopted highway fronting the property will need to be constructed under a Section 184 Agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are

required to consult the Design Engineer (Kirklees Street Scene; 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Should any delivery vehicle(s) not be able to access the site, deliveries shall not be made from A652 Bradford Road for highway operational and safety reasons.

NOTE: All contamination reports shall be prepared in accordance with CLR11, PPS23 and the Council's Advice for Development documents or any subsequent revisions of those documents.

NOTE: It is recommended that prior to development commencing the applicant should contact the Food Safety Team of Environmental Services to arrange an advice visit to discuss food safety and hygiene requirements including an appropriate layout. The Food Safety team can be contacted on 01484 221000.

NOTE: The applicant's attention is brought to the advice from West Yorkshire Police which can be found at the following link:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2019%2f91585>

NOTE: The developer is required to consult with Yorkshire Water's Trade Effluent team (telephone 0345 1242424) on any proposal to discharge a trade effluent to the public sewer network. Under the provisions of section 111 of the Water Industry Act 1991 it is unlawful to pass into any public sewer (or into any drain or private sewer communicating with the public sewer network) any items likely to cause damage to the public sewer network interfere with the free flow of its contents or affect the treatment and disposal of its contents.

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 work may be carried out.

NOTE: EVF1 Electric Vehicle Charging Points

- A Standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW). A 32A (7kW) is however more likely to be futureproof.

- At non-residential developments, the requirement for one electric vehicle charging point for every 10 parking spaces may initially be reduced to one charging point for every 20 parking spaces with the remainder provided at an agreed trigger point.
- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location & Proposed Block Plan	pIn049.02	B	29.05.19
Proposed Plans & Elevations	PIn049.03		29.05.19
Proposed Landscaping Plan	01		05.07.19
Planning Statement			05.07.19
Planning Statement Addendum			18.07.19
Phase 1 Environmental Assessment (Desk Study)	18/0835		29.05.19
Highway Technical Note	3706418		29.05.19
Flood Risk Assessment and Drainage Strategy	070592-CUR-00-XX-RP-D-00001		29.05.19
Ecological Report			29.05.19

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 pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer undertook negotiations with the applicant to secure additional evidence to support the Sequential Test; including details of the catchment of the proposed business and a search of available sites in the local centre of Dewsbury.

Report Dated: 22nd July 2019