

**KIRKLEES METROPOLITAN COUNCIL**

**PLANNING SERVICE**

**UPDATE OF LIST OF PLANNING APPLICATIONS TO BE DECIDED BY**

**STRATEGIC PLANNING COMMITTEE**

**04 DECEMBER 2025**

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**Planning Application 2020/92350**

**Item 10 Page 7**

**Outline application for residential development (Use Class C3) of up to 181 dwellings, engineering and site works, demolition of existing property, landscaping, drainage and other associated infrastructure**

**Land south of, Heybeck Lane, Chidswell, Shaw Cross, Dewsbury**

Representations

On 02/12/2025 the Chidswell Action Group emailed a further representation directly to Members. This concerns the council's handling of representations, ecological reporting, Agricultural Land Classification, Biodiversity Net Gain, ancient woodlands, and the recent judicial review.

On 03/12/2025 officers forwarded five further documents (a representation from Professor Ian D Rotherham and four documents titled "MARK") to Members by email. The Chidswell Action Group also stated that the Woodland Trust have made additional comments.

Applicant's submission

On 27/11/2025 the applicant's solicitor submitted a letter in response to the legal opinion submitted by the Chidswell Action Group and dated 11/11/2025.

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**Planning Application 2025/91122**

**Item 11 Page 293**

**Redevelopment of site for mixed-use E(g) (i, ii and iii) and B8 including: demolition of buildings and re-cladding of southern elevation of retained adjoining building; retention, conversion and renovation of existing mill/office/workshop/engine house building including alterations; erection of two new buildings; formation of two vehicular access points, service yard and parking areas; and other associated works**

**Turnbridge Mills, Quay Street, Huddersfield, HD1 6QT**

Revision to recommended condition

An amendment is recommended to Condition 3 to also include Building D1, as follows:

3. Building recording of Buildings B, C, **D1**, E and G prior to their demolition.

The recommended condition has been updated to also include Building D1, in addition to the other buildings for which Building Recording is required. This has been added as Building D1 is also one of the historic buildings on the site and following review of the plans and discussion with the Conservation Officer.

### Representations

As noted in paragraphs 7.6 and 7.9 of the committee report the latest publicity date for the application, following amended details being received, expired 28/11/2025, after the committee report was published on 26/11/2025. One representation was received following the committee report being published.

A letter of support has been received on behalf of Reliance RG Limited, which includes the following points:

- *“Reliance have purchased Paxman Coolers site in Fenay Bridge. Paxman currently lease the building from Reliance, but the ultimate intention is that Reliance will expand their advanced manufacturing activities into that site over the course of the next year or so.”*
- *“Business Kirklees have already outlined their support for the retention and expansion of Paxman in Kirklees. Reliance wish to add to that support. The approval of this application at Tunbridge Mills will allow the expansion of Paxman’s business in the District, and will free up space in Fenay Bridge in a timely manner to secure the expansion of Reliance’s operation*

*Both of these businesses are of considerable importance to the local economy.*

*Reliance has operated at the heart of precision engineering in Kirklees since the 1950’s. The company has a well trained and highly qualified workforce, supported by a highly regarded apprentice scheme. Reliance’s expansion will support the creation of additional skilled jobs in Kirklees.*

*The seeding of that skill base and expertise into the wider local economy helps other local advanced manufacturing / engineering businesses to progress their business aims. Reliance has resulted in the creation of a number of important local businesses...The importance of these businesses to the local economy cannot be underestimated. Making sure that there is enough land and property available to support their needs is a fundamental requirement of the planning system.”*

- *“In this case, approving new space for Paxman will both facilitate the local growth of the health and life sciences sector, and also facilitate the timely expansion of Reliance at their current base cementing the growth potential and considerable local benefits of the advanced manufacturing sector in the District.”*

## Representation: correction

Following the publication of the Committee Report comments have been received from West Yorkshire Combined Authority (WYCA) regarding remarks attributed to them in some of the applicant's documents. They have commented:

*It is noted that WYCA are quoted in Building Consent Statement Rev A - June 2025, and the Sequential Options Assessment Rev A. An officer at the time provided an informal note at the Pre Application Stage that a heritage led scheme could potentially be more costly and a longer programme, and that this could impact on achievement of Critical Success Factors of the project.*

*WYCA has not been involved or influenced the assessment and viability of the different options for the project's design and subsequent planning application and therefore is not in a position to give a view as to the likely deliverability of different options.*

This has relevance to the assessment against NPPF paragraph 214(c) as undertaken in the Committee Report. Notwithstanding the above, as is set out in paragraphs 10.84-10.88 of the Committee report, it has already been concluded that the requirements of Paragraph 214 c) of the NPPF have not been fully met, regarding the potential availability of grant funding for the conservation of the listed building.

Therefore, the comments received from WYCA do not alter this conclusion. It is still considered that it is not possible to conclude with certainty that 'conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible', for the reasons set out in the paragraphs cited above.

## Consultees

An email has been received from Historic England which refers to this application for planning permission and to the accompanying application for Listed Building Consent (Application reference: 2025/91645, Agenda Item 12), and which includes the following comment:

*"I am writing regarding the recent application at Turnbridge Mill. LPA references: LBC 2025/91645 and PP 2025/91122.*

*Historic England remains to have serious concerns relating to the loss of Hirst's Mill for the reasons outlined in our letters of 08/07/2025 and 25/11/2025. We are disappointed that the LPA have resolved to approve this application for total demolition of a listed building however after careful consideration we would not wish to call in the case to the planning casework unit at this time.*

The reference to 'call in' to the planning casework unit relates to the requirement for the accompanying Listed Building Consent application to be notified to the Secretary of State if the Local Planning Authority is minded to grant Listed Building Consent, as referred to in Paragraph 1.4 of the Committee Report for the planning application.

For the avoidance of doubt, as a request has been received from Historic Buildings & Places, as explained in Paragraph 1.4 of the Committee Report, the Listed Building Consent application would still need to be notified to the Secretary of State if Members resolved to approve that application and grant Listed Building Consent.

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**Listed Building Consent for redevelopment of site for mixed-use E(g) (i, ii and iii) and B8 including: demolition of buildings and re-cladding of southern elevation of retained adjoining building; retention, conversion and renovation of existing mill/office/workshop/engine house building including alterations; erection of two new buildings; formation of two vehicular access points, service yard and parking areas; and other associated works**

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The recommended condition has been updated to also include Building D1, in addition to the other buildings for which Building Recording is required. This has been added as Building D1 is also one of the historic buildings on the site and following review of the plans and discussion with the Conservation Officer.

Representations

Following the publication of the Committee Report comments have been received from West Yorkshire Combined Authority (WYCA) regarding remarks attributed to them in some of the applicant's documents. They have commented:

*It is noted that WYCA are quoted in Building Consent Statement Rev A - June 2025, and the Sequential Options Assessment Rev A. An officer at the time provided an informal note at the Pre Application Stage that a heritage led scheme could potentially be more costly and a longer programme, and that this could impact on achievement of Critical Success Factors of the project.*

*WYCA has not been involved or influenced the assessment and viability of the different options for the project's design and subsequent planning application and therefore is not in a position to give a view as to the likely deliverability of different options.*

This has relevance to the assessment against NPPF paragraph 214(c) as undertaken in the Committee Report. Notwithstanding the above, as is set out in paragraphs 10.84-10.88 of the Committee report, it has already been concluded that the requirements of Paragraph 214 c) of the NPPF have not been fully met, regarding the potential availability of grant funding for the conservation of the listed building.

Therefore, the comments received from WYCA do not alter this conclusion. It is still considered that it is not possible to conclude with certainty that 'conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible', for the reasons set out in the paragraphs cited above.

### Consultees

Further to Paragraphs 1.7 and 1.8 of the Committee Report, with reference clarification which has been sought from Historic England regarding whether the application for listed building consent should be notified to the Secretary of State, a response has been received from Historic England which includes the following comment:

*"I am writing regarding the recent application at Turnbridge Mill. LPA references: LBC 2025/91645 and PP 2025/91122.*

*Historic England remains to have serious concerns relating to the loss of Hirst's Mill for the reasons outlined in our letters of 08/07/2025 and 25/11/2025. We are disappointed that the LPA have resolved to approve this application for total demolition of a listed building however after careful consideration we would not wish to call in the case to the planning casework unit at this time."*

Nevertheless, as set out in Paragraphs 1.9 and 1.11 of the Committee Report, a request has been received from Historic Buildings & Places which would trigger the requirement for this application for Listed Building Consent to be notified to the Secretary of State in the event that Members resolved to grant listed building consent for the proposed works.

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## **Planning Application 2025/91279**

**Item 13 Page 413**

**(Amended Proposal) Variation condition 2 (plans) on previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens**

**Land off, Kenmore Drive, Cleckheaton, BD19 3EJ**

### Revised Noise Impact Assessment

Since the publication of the Committee Report an updated Noise Impact Assessment has been received (NP-013449 Rev 03). The revisions include a table appended at the end of the document evidencing the impact on NSR1(A). The document has also been updated with the latest drawings.

### Consultation Responses

K.C Environmental Health (Comments dated 01.12.2025):

*The amendment refers to the relocation of the ASHPs to the west of the original proposal c33m from the nearest noise sensitive receptor (NSR) as shown in the submitted information -*

- *Plant and ASHP Enclosure Details plan from Robertson dated Dec 2024 Ref CLK-BBA-XX-ZZ-DR-A-90-0016 (with Rev P05 dated 18 November 2025 stating Enclosures moved into car park and sizes adjusted to suit new location)*
- *Figure 1 of the submitted Noise Impact Assessment authored by Nova Acoustics dated 11 November 2025 Ref NP-013449 Rev03.*

*Whilst the location has changed, the installation details remain as per figure 6 and section 3.*

*Modelling has been conducted and using data from the previously approved assessment, a BS4142 assessment has been conducted indicating no impact for both daytime and nighttime to NSR 1(B) Care Home (tables 4 & 5) and 1(B) Vine Ave (tables 9 & 10).*

*A condition is recommended to ensure the installation and any proposed mitigation measures are in accordance with the Noise Impact Assessment. Condition 17 (as per 2020/91746) is a compliance condition and must be retained for the duration of the development and is repeated below for reference.*

*We welcome the suggestion of a further assessment being conducted prior to the occupation of the development and to consider the impact upon the nearest noise sensitive receptors post installation. A condition is recommended to reflect this.*

### **Recommended Conditions**

#### **NC1 Implement Agreed Noise Mitigation Measures – Condition**

*The hereby approved Air Source Heat Pump Enclosure (ASHP), External Plant Area, and Substation, as shown on plan ref. CLK-BBA-XX-XX-DR-A-91- 0001 Rev. C07 shall be constructed in accordance with the specification and mitigation measures contained in the Noise Impact Assessment referenced NP\_013449 revision 03. The Air Source Heat Pump Enclosure (ASHP), External Plant Area, and Substation shall thereafter operate and be maintained in accordance with the manufacturers recommendations.*

**Reason:** *In the interest of mitigating potential noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.*

#### **NC10 Noise from Fixed Plant & Equipment – Condition**

*The combined noise from any fixed mechanical services and external plant and equipment at the development shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. “Rating level” and “background sound level” are as defined in BS4142:2014+A1:2019.*

**Reason:** *To ensure the proposed development does not cause harmful noise pollution within any noise sensitive location or near the site, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and chapters 12 and 15 of the National Planning Policy Framework.*

**NC8 Noise Report required for proposed noise generating use close to existing noise sensitive premises – Condition**

*Prior to first occupation of the hereby approved development, but after the works required by condition 26 having been undertaken, a Noise Impact and Mitigation Validation Report, to be undertaken in accordance with BS4142, shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall demonstrate whether that the mitigation measures implemented via condition 26 have been successful. In the scenario where they have not, a further noise mitigation strategy shall be detailed for approval. Thereafter, if required, the approved further noise mitigation shall be implemented prior to the approved development being brought into use.*

**Reason:** *In the interest of mitigating potential noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.*

**NF4 Competent Person - Footnote**

*All noise assessments should be carried out by a competent person. The applicant may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members.*

Amended Wording for additional Conditions 26 and 27

Following the receipt of the updated Noise Impact Assessment and comments from K.C Environmental Health, the suggested additional conditions no.26 and no.27 have been updated to reflect the updated document and consultation comments received. The new recommended wording is as follows:

26. The hereby approved Air Source Heat Pump Enclosure (ASHP), External Plan Area, and Substation, as shown on plan ref. CLK-BBA-XX-XX-DR-A-91- 0001 Rev. C07 shall be constructed in accordance with the specification and mitigation measures contained in the Noise Impact Assessment referenced NP-013449 revision 03. The Air Source Heat Pump Enclosure (ASHP), External Plan Area, and Substation shall thereafter operate and be maintained in accordance with the manufacturers recommendations.

**Reason:** In the interest of mitigating potential noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.

27. Prior to first occupation of the hereby approved development, but after the works required by condition 26 having been undertaken, a Noise Impact and Mitigation Validation Report, to be undertaken in accordance with BS4142, shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall demonstrate whether that the mitigation measures implemented via condition 26 have been successful. In the scenario where they have not, a further noise mitigation strategy shall be detailed for approval. Thereafter, if required, the approved further noise mitigation shall be implemented prior to the approved development being brought into use.

**Reason:** In the interest of mitigating potential noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan

## Additional Representation Received

Since the publication of the Committee Report the following representation has been received (copy in full below):

*I am writing to provide an updated late representation for inclusion in the Committee Update for Thursday's Strategic Planning Committee meeting. The case officer's email containing the Environmental Health consultation response (Ref: WK202537173) arrived in my inbox at 14:08 today while I was in the process of preparing and submitting my original late representation. As I have now had the opportunity to see that document, I would be grateful if this updated representation could replace the version submitted earlier this afternoon.*

*At the October Committee meeting, Members requested two things before the application was returned:*

- 1. An updated acoustic assessment taking account of the revised plant location; and*
- 2. A corresponding Environmental Health consultation response reviewing that new evidence.*

*Although the report is dated 28 November 2025, the same date the Committee Report was published, the updated Nova Acoustics Noise Impact Assessment (Rev 03, document ref. 1115961) was not made publicly available on the planning portal until 2 December, which was after the deadline for speaking requests. This means any interested parties had no reasonable opportunity to review or comment on its contents.*

*Importantly, the updated assessment does not include any new environmental noise measurements. As confirmed on page 7 of the report, all background sound data still derives from measurements taken in November 2024, before the ASHP and substation were relocated and before site conditions changed significantly during construction. The document is therefore a desk-based reanalysis using year-old measurements, not a fresh survey reflecting the current, materially different, physical context.*

*Separately, an Environmental Health consultation response (Ref: WK202537173, dated 1 December 2025) was emailed to me by the case officer at 14:08 on 2 December while I was preparing my initial representation. This consultee response has not been placed on the public planning portal or included in the published Committee Report. As it was only brought to my attention after I had submitted my initial representation, neither I nor any other interested party has had a fair or practical opportunity to review or respond to its contents.*

*A further concern arises from the content of the Environmental Health response itself. Although Nova Rev 03 introduces entirely new BS 4142 assessments at NSR1(A) (Appendix F, pages 30–32), which corresponds to my property, the Environmental Health comments make no reference to this receptor at all. Their response refers only to NSR 1(B) locations assessed in earlier versions of the report. This omission*

*strongly suggests that the updated Appendix F has not been meaningfully reviewed or assessed, and therefore that Members still do not have the detailed professional scrutiny of the revised plant impacts that they specifically requested in October.*

*It is also notable that the Environmental Health response concludes with the standard “competent person” advisory footnote. This is typically included where assessments have been taken at face value without independent verification, and it reinforces the impression that the updated modelling in Appendix F has not been interrogated in depth.*

*Additionally, because the updated Nova report was only made publicly available on 2 December, and the Environmental Health comments have not been published to the application file, any attempt to rely on this material at Thursday’s meeting would be procedurally unfair. Neither Members nor the public have had a realistic opportunity to read, understand, or respond to the new acoustic information or the associated consultee advice. This would defeat the purpose of the earlier Committee deferral, which was to ensure that both the updated acoustic evidence and the Environmental Health review were available in good time for proper scrutiny.*

*For these reasons, determining the application this week would be premature and procedurally unsound. From a public perspective, the evidence base remains incomplete and opaque: the updated acoustic report was published too late for fair engagement, and the Environmental Health response is not yet on the public file and has not been subject to meaningful scrutiny by interested parties.*

*I therefore respectfully request that the application be deferred until the required Environmental Health consultation is properly published on the planning portal and all parties have been given a reasonable opportunity to review and comment on the updated acoustic information.*

**Officer Response:** A Noise Impact Assessment addressing the revised location of the air source heat pumps, plant room and substation was submitted and a period of amended plans publicity undertaken, which concluded on 28/11/2025. As a result of this publicity, one further representation was received.

K.C Environmental Health were consulted simultaneously and during their assessment of the document, verbally requested from the case officer additional information evidencing the impact on NSR1(A) ahead of providing their formal written response. An updated Noise Impact Assessment to include an additional table evidencing the impact on NSR1(A), and inclusive of the latest drawings was received on 28/11/2025 which was the last day of the amended plans publicity period detailed above. K.C Environmental Health assessed the document, as revised, and submitted their consultation response on 02/12/2025.

It is not unusual for consultee comments to be received after the period of publicity as they usually run simultaneously. The issue is whether third parties have had adequate time to make comments on the updated Noise Impact Assessment. As noted above the owner/occupier of NSR1(A) was forwarded a

copy of the updated report on 28/11/2025, the same day of receipt by officers who enquired if they wish to submit any further comments in addition to their representation already received as part of the amended plans publicity. A copy of K.C Environmental Health's comments was also forwarded to the owner/occupier of NSR1(A) on the day of its receipt 02/12/2025. Officers consider they have made reasonable efforts to notify on the amended plans, and the owner/occupier of NSR1(A) has directly received both a copy of the amended version of the Noise Impact Assessment and a copy of K.C Environmental Health's consultation response.

Officers acknowledge the detailed technical comments made in the additional representation about the robustness of the report, however K.C Environmental Health have no further comments to make in respect of their own professional conclusions. K.C Environmental Health's comments, and the additional representation received, are reported in full in the committee update for Members consideration.

Officers support K.C Environmental Health's positive assessment of the proposal and are of the opinion that Members do have sufficient information to consider the application which has sought to address the previous reasons for deferral by providing a revised location for the air source heat pumps, plant room and substation. Officers also consider that reasonable efforts to publicise the amended plans ahead of the committee meeting have taken place, resulting in the submission of further comments being received.