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:	**2023/62/92297/E**
Site Address:	Units 5 And 9, Brookside Works, Brick Street, Cleckheaton, BD19 5EH
Description:	Erection of two industrial units
Recommending Officer:	Nina Sayers

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: 10 October 2024

Officer Report

Site Description

Units 5 And 9, Brookside Works, Brick Street, Cleckheaton, BD19 5EH.

The application site relates to a detached industrial unit and associated car park. The building is a long rectangular building which is accessed via Brick Street, an unadopted highway which adjoins Westgate.

The site is in a predominantly industrial area with industrial units to the north and south of the site. There are residential dwellings west of the site, which are separated by an area of greenery.

The site is unallocated within the Kirklees Local Plan.

Description of Proposal

Planning permission is sought for the erection of two industrial units.

The proposed units would be in located within one structure, set west of the existing building. The proposed building would be 19.7 x 11.2 metres with a pitched roof design which would have a roof ridge height of 6.3 metres. The building would be divided centrally to form two units, both of which would have a large vehicular opening and a doorway on the front elevation. The external walls would be finished in 'vertical laid galv mild steel external profile sheeting with HPS ultra colour coated system' above fairfaced blockwork under a 'composite insulated galv mild steel profiled external roof sheets'.

The units would use the existing access and parking would be proposed to the west of the building. The units would serve class E units.

History of negotiations/amendments received

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2015 encourages negotiation/engagement between Local Planning Authorities and agents/applicants. Amendments were sought to overcome Highways DM concerns.

Relevant Planning History

2017/93111 Change of use of land to form an asbestos transfer station and siting of 10no. storage containers. Withdrawn.

2021/90886 Outline application for erection of Class E (B1c/B2/B8) with access from Brick Street, associated yard space, car parking, storage units and landscaping. Withdrawn.

2021/92661 Outline application for erection of Class E(g), B2, and B8 units and the formation of associated infrastructure, with access from Brick Street. Withdrawn.
2022/20730 – Pre-application enquiry for commercial development

90/02317 Erection of storage buildings. Conditional full permission.

Representations

Final publicity date Expires:
Neighbour letters initially expired on 9th November 2023.

One representation was received in response to the publicity of this application in objection. They raised the following comments:

- Additional noise particularly in the evenings
- Flood risk – the pond is being filled with waste
- Pollution caused by industrial activities
- The development will not be carried out in accordance with the application/conditions

These comments will be reviewed in section 6 of this report.

Consultation Responses

KC Highways DM: No objections.

KC Crime Prevention: No objections, recommendations given.

KC Environmental Health: No objections subject to condition.

LLFA: No objections subject to condition.

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 Proposals Map.

Kirklees Local Plan (LP):

- **LP 1** – Achieving Sustainable Development
- **LP 2** – Place Shaping
- **LP8** – Safeguarding employment land and premises
- **LP9** – Supporting skilled and flexible communities and workforce
- **LP 21** – Highway Safety

- **LP 22** – Parking Provision
- **LP 24** – Design
- **LP 30** – Biodiversity and Geodiversity
- **LP 53** – 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 December 2023, 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 2** – Achieving Sustainable Development
- **Chapter 4** – Decision-Making
- **Chapter 8** – Promoting Health and Safe Communities
- **Chapter 12** – Achieving Well-Designed Places
- **Chapter 15** – Conserving and Enhancing the Natural Environment

Other Material Considerations:
- Kirklees Highways Design Guide SPD (2019).
- Waste Management Design Guide for New Developments (Version 5, October 2020).
- Kirklees Biodiversity Net Gain Technical Advice Note (2021).
- Kirklees House Extension and Alterations SPD (2021).

Assessment
The following matters are considered in the assessment below –
1) Principle of development
1) Impact on visual amenity
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) Conclusion

1 – Principle of development:

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of

sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

The land is unallocated within the Kirklees Local Plan and the site currently serves an industrial unit and is adjacent to other existing industrial units. The principle of an industrial unit in this location would therefore be acceptable in this instance.

It is noted that the applicant has stated the proposed use of the building would be for Class E. The application site is located outside of the defined centre boundary and therefore a sequential test would be required if the building were to operate as a main town centre use as defined within the NPPF. The applicant has clarified that the proposed use is for Class E industrial use. Therefore, it would be secured by condition that the proposal could only be Class E(g) so the scheme could not be changed into a main town centre use without planning permission. Therefore, the proposed use would not harm the viability or vitality of the defined centres.

In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety. These issues along with other policy considerations will be addressed below.

2 – Impact on visual amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed and beautiful places) whereby 131 provides a principal consideration concerning design which states:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…”

Paragraph 134 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

The proposed development would align with the existing building and would have a similar depth. It would have a pitched roof design, similar in height to the existing building. The proposal would be finished in materials similar in appearance to the existing industrial unit. The proposal would therefore not be out of character with the wider site setting and would be in keeping with the existing development.

As such, Officers consider that the proposal would not cause detrimental harm to the visual amenities of the locality and would comply with Policy LP24(a) and (c) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3 – 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.

The application site is ~37m from the nearest residential dwelling which is separated from the site by an area of greenery. This is considered a sufficient distance to prevent any overlooking, overbearing or overshadowing harm to the neighbouring occupants. It is however noted that there would be additional noise as a result of the proposed industrial units. KC Environmental Health were consulted on the proposal and they recommended a condition requiring a noise report. This should mitigate any potential harm to the neighbouring occupiers in terms of noise.

The application is for a light industrial use, and as outlined in the principle of development section, it would be conditioned that the use would be Class E(g) which limits the development to uses which can be carried out in a residential area without detriment to its amenity.

As such, subject to conditions, it is considered that the proposed development would not result in harm to residential amenity. The proposal therefore complies with Local Plan Policy LP24(b) and Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Paragraph 111 of the NPPF states that: *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

Policy LP21 of the Kirklees Local Plan states that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users.

The application proposes one new building which would be separated into two units approximately 120 sqm units, which would be used for light industrial use. Access is via Brick Street from A643 Moorside/Westgate. Brick Street is unlit and there are no footways present along either side, except for a short (approximately 15m), narrow section of footway along the western side on the approach to the A643 Westgate

The Site Plan as proposed shows 8 off-street parking spaces plus cycle spaces and a bin store on land to the east of the proposed units. Access is from Brick Street across the front of the existing industrial unit. A width of 6.45m is shown between the proposed units and the southern boundary of the site. Three lorry parking spaces are shown to the front of the existing industrial unit.

KC Highways Development Management (HDM) commented on the scheme and concluded that they would be unable to support the application without improvements to Brick Street and Brick Street/A643 Moorside/Westgate junction.

The applicants provided a highway statement and have confirmed that improvements have been made to Brick Street. This has been reviewed by KC HDM. Whilst the surfacing works undertaken to Brick Street are acknowledged as an improvement which will benefit all users, there is still no kerbing, footways, street lighting or surface water drainage and the works are not therefore to adoptable standards. The improvements are however considered to be sufficient to accommodate the small amount of additional traffic associated with 2 small 100sqm industrial units.

Given the above KC HDM have no objections to these proposals. It is therefore considered that the proposal would not cause additional harm to the safe and efficient operation of the highway network, thus complying with Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF.

5 – Other matters:

Ecology
The proposed development would be set on existing hardstanding and therefore the ecological benefit of the site would be limited. A bat and bird box

would be conditioned should approval be recommended. The proposal therefore complies with LP30 of the Kirklees Local Plan.

Drainage

The Lead Local Flood Authority were consulted on the proposed application. They commented that the surface water flows from the proposed 2 unit development and associated parking/hardstanding should be attenuated to the equivalent greenfield run-off rate (unless it can be shown that the existing area to be developed is positively drained, in which case 30% betterment of the existing surface water flows would be acceptable). Surface water attenuation storage should be provided to ensure flows up to the critical 1 in 100 year (plus climate change) rainfall event are retained within the site boundary and without flooding to existing or proposed buildings.

The diameter of the flow control device should not be less than 75mm to prevent the risk of blockage. Hydraulic calculations should be provided to indicate that the proposed attenuation storage is sufficient. The outfall from the surface water flow control device should discharge to Bacup Beck and no development should be within 3.0m either side of the existing culvert. A drawing showing the proposed drainage scheme should be submitted showing details of the attenuation tank with an upstream silt trap MH, flow control chamber and outfall details to the beck. Details regarding the maintenance of the drainage system should also be submitted including a Maintenance Schedule for the road/hardstanding gullies, tank, flow control chamber, etc.

The LLFA have no objections to the proposed development subject to conditions relating to drainage detail, overland flow routing and construction phase surface water flood risk and pollution prevention plan. The proposal therefore complies with LP27 of the Kirklees Local Plan and Chapter 14 of the NPPF.

Land contamination

This site has been identified as potentially contaminated land due to its previous use as a mill (our map ref 108/1). KC Environmental Health were consulted on the proposal and recommended full contaminated land conditions. The site is within a low risk coal mining area so no further information is required. Subject to conditions, the scheme therefore complies with LP53 of the Kirklees Local Plan and paragraphs 189 and 190 of the NPPF.

Safety

KC Crime Prevention Officer were consulted on the proposed development. They do not object to the development in principle, however they outlined a number of recommendations which would be beneficial for the security and safety of the site's users. It is recommended that the applicant reviews these recommendations prior to development.

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.

The proposal is an extension to an existing industrial use. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

6 – Representations:

No representations received.

7 – Conclusion:

This application for the erection of two industrial units at Units 5 And 9, Brookside Works, Brick Street in Cleckheaton has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations.

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.

As set out above, 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 it is, therefore, recommended for approval.

Recommendation **Approve**

Decision Authorisation - Delegated Powers
Application Number: 2023/92297
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.

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 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.

3. The use of the building hereby permitted shall be for purposes within Class E(g) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and no other use.
Reason: In order to protect the vitality and viability of town and local centres, as the site is located outside of a town or local centre where retail uses and financial professional services would not be appropriate, and in the interest of residential amenity in accordance with Policy LP13 and LP24 of the Kirklees Local Plan.

4. Before construction work commences, a noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

a) an assessment of all of the noise emissions from the proposed development
a) details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises
b) a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation

The development shall not be 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: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, 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. This is a pre-commencement condition to ensure that any risk from noise is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

5. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that any risk from land contamination is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

6. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 5, groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that any risk from land contamination is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

7. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 6 further groundworks shall not commence until a Remediation Strategy by a suitably competent person 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 ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that any risk from land contamination is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

8. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 7. 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 groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. 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 ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

9. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

10. Before the installation of external artificial lighting commences, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:

a) The proposed hours of operation of the lighting
a) The location and specification of all of the luminaires
b) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.
c) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
d) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme.
Reason: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with part 2 and 15 of the NPPF and LP52 of the Local Plan.

11. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including agreed discharge rates with the LLFA indirectly or directly to watercourse, attenuation for the critical 1 in 100 + 30% climate change rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be occupied until such approved drainage scheme has been provided on the site to serve the development or each agreed phasing of the development and retained thereafter.
Reason: To reduce the risk of flooding to the proposed development in accordance with LP27 of the Kirklees Local Plan and the requirements of the National Planning Policy. This is a pre-commencement condition to ensure

that any risk from flooding is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

12. The development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.
Reason: To reduce the risk of flooding to the proposed development in accordance with LP27 of the Kirklees Local Plan and the requirements of the National Planning Policy. This is a pre-commencement condition to ensure that any risk from flooding is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

13. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- phasing of the development and phasing of temporary drainage provision.
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.
- the strategy shall include a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed with the LLFA.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.
Reason: To reduce the risk of flooding to the proposed development in accordance with LP27 of the Kirklees Local Plan and the requirements of the National Planning Policy. This is a pre-commencement condition to ensure that any risk from flooding is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants

NOTE: The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the "Guidance Note 01/21 for the Reduction of Obtrusive Light" by the Institution of Lighting Professionals: 2021 www.theilp.org.uk. The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for the corresponding Environmental Zone E3.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership

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.

Plans and specification schedule:

Plan Type	Reference	Version	Date Received
Location Plan	101		18/08/2024
Site Plan as Proposed	103		18/08/2024
North Elevation as Proposed	108		18/08/2024
West and East Elevation as Proposed	107		18/08/2024
South Elevation as Proposed	106		18/08/2024
Section as Proposed	105		18/08/2024
Floor Plan as Proposed	104		18/08/2024
Planning and Access Statement	May 2023		18/08/2024
Flood Risk Assessment	B21147-JNP-XX-XX-RP-C-0001	P01	18/08/2024
Highway Statement	001	01	30/08/2024

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 Planning Authority has, 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. Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2015 encourages negotiation/engagement between Local Planning Authorities and agents/applicants. Amendments were sought to overcome Highways DM concerns.

Report dated: 08/10/2024