

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:	2023/62/93796/E
Site Address:	Flush Mills, Westgate, Heckmondwike, WF16 0EN
Description:	Erection of industrial building
Recommending Officer:	Nicole Helliwell

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: 09 April 2024

Officer Report

Reference No. 2023/62/93796/E

Site Address: Flush Mills, Westgate, Heckmondwike, WF16 0EN

Proposal: Erection of industrial building

Site Description

The application relates to Flush Mills, an industrial site situated off Westgate (A638) in Batley. The site is allocated as a Priority Employment Area (PEA55) on the Kirklees Local Plan Proposals Map. The wider area comprises a combination of residential and commercial properties of varying materials and architectural styles. The site is not located within a conservation area, nor are there any listed buildings or public right of ways within close proximity.

Description of Proposal

The application seeks planning permission for the erection of an industrial building. The details of the proposal are summarised below:

- The structure would have an overall length of approx. 10m, a depth of approx. 25m and a maximum height of approx. 7.62m.
- Construction materials - corrugated metal panels in RAL 9006 for the external walls and heavy duty PVC canvas in RAL 9016 for the roof.

Relevant Planning History

- **2022/92315:** Discharge of condition 13 (noise survey) of previous permission 2018/92005 for demolition of existing industrial units and erection of new industrial units and formation of car parking. [Planning application details | Kirklees Council](#) – Discharge of Condition(s) Approved
- **2020/90727:** Discharge of condition 14 (site investigation) of previous permission 2018/92005 for demolition of existing industrial units and erection of new industrial units and formation of car parking. [Planning application details | Kirklees Council](#) – Discharge of Condition(s) Approved
- **2019/93161:** Discharge conditions 3 (materials), 9 (drainage), 12 (structural report), 16 (travel plan) on previous permission 2018/92005 for demolition of existing industrial units and erection of new industrial units and formation of car parking. [Planning application details | Kirklees Council](#) – Discharge of Condition(s) Approved
- **2019/90924:** Variation of condition 4 (hours of operation) on previous permission 2015/90708 for change of use of building to mixed use comprising B1, B2 and B8. [Planning application details | Kirklees Council](#) – Removal or Modification of Condition(s)
- **2018/92005:** Demolition of existing industrial units and erection of new industrial units and formation of car parking. [Planning application details | Kirklees Council](#) – Conditional Full Permission

- **2015/90708:** Change of use of building to mixed use comprising B1, B2 and B8. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **2011/91432:** Variation of condition 3 on previous application 2010/93074 for change of use to approved authorised treatment facility for recycling of waste electrical and electronic equipment (waste transfer). [Planning application details | Kirklees Council](#) – Removal or Modification of Condition(s)
- **2010/93074:** Change of use to approved authorised treatment facility for recycling of waste electrical and electronic [Planning application details | Kirklees Council](#) – Conditional Full Permission

Representations

The application was publicised by neighbour notification letters, which expired on 20th February 2024. As a result of the above publicity, eleven representations have been received. The comments made have been summarised below:

- Loss of privacy
- Loss of view
- Loss of light and overshadowing
- This will affect property prices
- The current work on that site is already noisy and loud on mornings before 7am.
- The height of the building is very high and would make Omar Street, which only has one light on, very dark on evenings
- Industrial usage will involve noise, very close to all houses in the street.
- It will increase traffic heavily on an already, very busy road (Westgate) which impedes on residents getting in and out of our street
- There is concern of hazardous material and smells
- As the building may be used for industrial process, it can create high air/noise pollution volumes
- Whilst I fully appreciate that we do not have a stunning view from our homes I am concerned about how this is going to look
- Building a monstrosity of a building adjacent to our properties on an elevated gradient will destroy our natural sunlight on Omar Street.

Following the receipt of revised drawings, The application was publicised by neighbour notification letters, which expired on 28th February 2024. As a result of the above publicity, two representations have been received. The comments made have been summarised below:

- The building is an eyesore and I can see the house prices decreasing.
- How can a business get away with building without permission and so many objections

- The updated plans appear that the building has been moved to the other end of the plot. The building appears to have already been erected.
- The complex is in a large courtyard, and this amplifies noise, moving the building several feet will not reduce the ongoing noise after the construction.
- If windows on the street side, privacy will be infringed.
- This will be a building used for industrial purposes and longer term noise implications will be permanent.

Consultation Responses

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

KC Environmental Health – No objections subject to recommended conditions

KC Ecology – No objections

Planning Policy Background

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 allocated as a Priority Employment Area (PEA55) on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 3** - Location of New Development
- **LP 7** - Efficient and Effective Use of Land
- **LP 8** - Safeguarding Employment Land
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity and Geodiversity
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 53** - Contaminated and Unstable Land

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, 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 6** - Building a Strong, Competitive Economy
- **Chapter 11** - Making Effective Use of Land
- **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

1. Principle of Development

The site is allocated as a Priority Employment Area (PEA55) on the Kirklees Local Plan. Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

With regards to the land allocation as employment land, Policy LP8 supports development which continues the employment use. Whilst the development proposed may not directly create employment opportunities, it will support ongoing operations and is therefore considered to be compliant with LP8 of the Kirklees Local Plan and Chapter 6 of the NPPF.

In this case, the principle of development is considered acceptable, and shall be assessed against 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.

1. Impact on Visual Amenity

Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

The NPPF also offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 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.”*

The building proposed would have an overall length of approx. 10m, a depth of approx. 25m and a maximum height of approx. 7.62m and would be associated directly to the use of the site. The external walls of the building would be constructed from corrugated metal panels in RAL 9006 and would incorporate a dual-pitched roof finished in heavy duty PVC canvas in RAL 9016. The design of the unit is considered to be typical for such a use and would be acceptable in this regard. Although the structure would have a large scale, it would be of a simple form and would be subservient in relation to the existing buildings. Furthermore, the structure would not appear incongruous from public vantage points given the significant scale of the site. On this basis, it is considered that the proposed development would not have any significant visual impact on the character and appearance of the surrounding area.

Having taken into account the above, it is considered that the proposed development would be acceptable from a visual amenity perspective, in accordance with Policy LP24 of the Kirklees Local Plan and Chapters 12 of the NPPF.

2. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

The submitted plans confirm that no properties located north, west and south of the application site would be affected by the proposed works.

Impact on Residential Properties on Omar Street

There are a number of residential properties located on Omar Street which are sited east of the application site on significantly lower ground. Historically, circa 2002, traditional industrial buildings were located up to Omar Street and therefore had a closer relationship with the dwellings than that of the proposed building.

The submitted plans confirm that a distance of approximately 22.7m would be retained between the side elevation of the proposed industrial building and the front elevation of the neighbouring properties. Given that the separation distance retained would be sufficient, it is considered that the proposed development would not cause any significantly detrimental overlooking, overbearing or overshadowing harm to the residential amenity of the neighbouring occupants. The submitted site section demonstrates that an acceptable relationship would be achieved between the development and the residential properties opposite. The proposed building would be located beyond this at a greater distance.

Having considered the above factors, the proposal is not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 115 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.

The proposed industrial building would not affect the existing parking arrangements on the wider part of the site. Therefore, it is considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

4. Other Matters

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 pre-dates 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.

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures.

Noise

KC Environmental Health did initially have concerns about the impact of any operational noise breaking out from within the unit. Section 3 of the submitted Planning Statement (dated 20th December 2023, Ref JM230120_PS_01) describes the type of building to be erected and the activities and processes to be carried out within. It is likely a mechanical plant will be used but no detail is given on the sound insulation properties of the building nor the type of equipment to be used. Therefore, KC Environmental Health did recommend a condition requiring a Noise Impact Assessment to be submitted to consider the level of noise from the proposed use and the impact it may have on the amenity of the neighbouring properties.

Following amendments to the scheme, KC Environmental Health were reconsulted on the proposal. Officers confirmed that the revised location creates a greater distance from the proposal to the residential properties on Omar Street and this is welcomed. The applicant's agent has stated that there will be no fixed mechanical plant and that all equipment will be portable and all activities will be undertaken within the building. On their own, the submitted data sheets for the building wall panels do not provide any assurance as this is dependent on the activity within the unit. However, as the agent has stated the proposed activity and use, coupled with the distance attenuation, KC Environmental Health are happy to accept this and withdraw their comment requiring a Noise Impact Assessment be submitted. However, Officers have recommended a compliance condition to ensure any noise from any mechanical plant would not exceed any measured background levels.

Construction Noise

Construction works can have a negative impact on residential amenity. Therefore, it is considered necessary for a footnote to be imposed restricting the times when noisy construction activities will be permitted.

Contaminated Land

This site has been identified on our mapping system as potentially contaminated land due to its previous use as a Mill & Colliery (our map ref

153/5). While the Planning Statement confirms that the building is to be constructed by fixing to the existing concrete ground surface of the yard and does not require construction of foundations, there is a possibility of ground gas being present and a potential risk to human health. Therefore, KC Environmental Health did confirm that contaminated land conditions would be necessary.

Further to KC Environmental Health's previous response, a report titled 'Phase 1 Environmental Due Diligence Report' prepared by Jones Hargreaves (dated February 2024, ref: 24.134/Env) was submitted. Having reviewed the Phase 1 report, Officers have made the following points. The risk assessment relies heavily on third party reporting that is not at the site of interest. Furthermore, there does not appear to be any consideration for the risk from combustible soils. Lastly, there is insufficient information in relation to the concrete hardstanding. Microfractures or deterioration in the concrete structure can potentially allow ground gas ingress. For these reasons, KC Environmental Health do not accept the report but still support the application subject to the necessary conditions be applied.

Biodiversity

Whilst the site is located in an area identified as being within a 'bat alert' layer on the Council's GIS mapping system, in this instance, the nature of the works is considered unlikely to have a detrimental impact on the bat population. However, a footnote will be added to the decision notice to provide the applicant with advice should bats or bat roosts be found during construction. This would accord with the aims of Policy LP30 of the Kirklees Local Plan, the Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

There are no other matters relevant to the determination of this application.

5. Representations

Thirteen representations were received following the statutory publicity. The comments made have been summarised and addressed below:

- Loss of privacy

Response: *The proposals potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*

- Loss of view

Response: *This matter would not constitute a material planning consideration.*

- Loss of light and overshadowing
Response: *The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*
- This will affect property prices
Response: *This matter would not constitute a material planning consideration.*
- Industrial usage will involve noise, very close to all houses in the street.
Response: *The impact on noise has been addressed within the 'Other matters' section of the Officer Report.*
- There is concern of hazardous material and smells
Response: *The council's mapping system confirms that the site is not located within a hazardous material site. Furthermore, KC Environmental Health have reviewed the impacts of the scheme and have made no comments with regard to smell.*
- It will increase traffic heavily on an already, very busy road (Westgate) which impedes on residents getting in and out of our street
Response: *The proposal's potential impact on the highway network has been assessed within the 'Highway Safety' section of the report.*
- As the building may be used for industrial process, it can create high air/noise pollution volumes
Response: *The impact on noise has been addressed within the 'Other matters' section of the Officer Report.*
- Whilst I fully appreciate that we do not have a stunning view from our homes I am concerned about how this is going to look
Response: *The proposal's potential impact on the appearance and character of the street scene has been assessed within the 'visual amenity' section of the report.*
- Building a monstrosity of a building adjacent to our properties on an elevated gradient will destroy our natural sunlight on Omar Street.
Response: *The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*
- The current work on that site is already noisy and loud on mornings before 7am.
Response: *The impact on noise has been addressed within the 'Other matters' section of the Officer Report.*

- The height of the building is very high and would make Omar Street, which only has one light on, very dark on evenings

Response: *The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*

- The building is an eyesore and I can see the house prices decreasing.

Response: *The proposal's potential impact on the appearance and character of the street scene has been assessed within the 'visual amenity' section of the report. Furthermore, impacts on house prices would not constitute material planning considerations.*

- The updated plans appear that the building has been moved to the other end of the plot. The building appears to have already been erected.

Response: *Any construction works undertaken prior to determination are at the Applicant's own risk and may be subject to enforcement action.*

- The complex is in a large courtyard, and this amplifies noise, moving the building several feet will not reduce the ongoing noise after the construction.

Response: *The impact on noise has been addressed within the 'Other matters' section of the Officer Report.*

- If windows on the street side, privacy will be infringed.

Response: *The proposal's potential impact to the neighbouring properties has been assessed within the 'Residential Amenity' section of the report.*

- This will be a building used for industrial purposes and longer term noise implications will be permanent.

Response: *The impact on noise has been addressed within the 'Other matters' section of the Officer Report.*

6. Negotiations

Amendments were sought during the course of the application. A request was made to set the proposed development a further two metres away from the eastern boundary of the site to prevent an overbearing/overshadowing impact on the neighbouring occupants along Omar Street. Revised drawings were submitted which were considered acceptable from a residential amenity perspective.

7. Conclusion

This application for the erection of an industrial building at Flush Mills 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. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered acceptable.

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: Approve

Decision Authorisation - Delegated Powers

Application Number: 2023/93796

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP7, LP8, LP21, LP22, LP24, LP30, LP52 and LP53 of the Kirklees Local Plan, the guidance within the Council's Highways Design Guide SPD and the aims of the National Planning Policy Framework.

3. The industrial building hereby approved shall be faced in corrugated metal panels in RAL 9006 for the external walls and heavy duty PVC canvas in RAL 9016 for the roof. The materials of construction shall thereafter be retained for the lifetime of the development.

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

4. 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: This pre-commencement condition is necessary 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.

5. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 4 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: This pre-commencement condition is necessary 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.

6. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 5 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: This pre-commencement condition is necessary 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.

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 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: This pre-commencement condition is necessary 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.

8. 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.

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. The combined noise from any fixed mechanical services and external plant and equipment 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 BS 4142:2014+A1:2019.

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.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. 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 - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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 the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Site Context Plan	23001-MOS-SI-XX-DR-A-0000	P01	22/12/2023
Site Location Plan	23006-MOS-SI-XX-DR-A-0001	P01	22/12/2023
Existing Site Plan	23006-MOS-SI-XX-DR-A-0003	P01	22/12/2023
Proposed Site Plan	23006-MOS-SI-XX-DR-A-0004	P02	20/02/2024
Proposed Site Sections	23006-MOS-SI-XX-DR-A-0005	P02	20/02/2024
Building Details	23006-MOS-SI-XX-DR-A-0006	P01	22/12/2023
Planning Statement	JM230120_PS_01	-	07/02/2024

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 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. Amendments were sought during the course of the application. Additional information was provided which was considered acceptable with regard to residential amenity. Furthermore, the agent has also confirmed their agreement to the pre-commencement conditions.

Report Dated: 02/04/2024