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:	**2024/62/91336/W**
Site Address:	Site of Former Perseverance House, St Andrew's Road, Huddersfield, HD1 6RZ
Description:	Erection of two storey office/workshop with detached store and associated works
Recommending Officer:	William Simcock

DECISION – Conditional Full Permission – Approve

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.

Victor Grayson

AUTHORISED OFFICER

Date: 19/08/2024

Officer Report – 2024/91336

Site of former Perseverance House, St Andrew's Road, HD1 6RZ

Site Description

The site consists of a rectangular plot of vacant land lying southwest of the intersection of St Andrew's Road and Turnbridge Road. It is within an industrial and commercial area characterised mainly by modern buildings. The site has recently been cleared (a three-storey building formerly stood on the site parallel to the St Andrew's Road frontage). It is near-level, without steep gradients.

Description of Proposal

The proposal is for the erection of a two-storey office/workshop with a detached store and associated works, to be used as the headquarters of a vehicle hire company. The main building, to be used mainly for vehicle maintenance and repair, would measure 62m by 17m and would be built parallel to St Andrew's Road and set 2m behind the highway boundary. It would be 6.3m high to the eaves with a shallow, hipped roof above. It would contain eight vehicle bays with offices and workers' facilities at the southern end.

The smaller building, which is to be placed at the northern end of the site and 1m from the highway boundary, would consist of three bays each fronted by a shutter door. This is to be used to store vehicles.

In both cases the main openings would face inwards (south and east) towards the site and away from the highway.

17 staff and visitor parking spaces would be formed and marked out along the southern boundary of the site. A large area designated by cross-hatching occupying most of the eastern half of the site is annotated "vehicle parking" but not marked out.

History of negotiations/amendments received

None.

Relevant Planning History

2009/91031: Change of use of land from industrial to public car parking area (144 spaces). Granted under general regulations.

2012/93118: Extension to time for above permission. Granted.

2022/93382: Prior notification for demolition of building. Approved.

Representations

Final publicity date expired 26/07/2024. Publicity was via a site notice and neighbour notification letters following the requirements of the Development Management Procedure Order and Kirklees Development Management Charter since the proposal is classed as Major Development.

No representations were received.

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 Lead Local Flood Authority – Acceptable subject to conditions.
- The Coal Authority – No objection.
- Canal and River Trust – No comment.
- KC Highways Development Management – No objection.
- West Yorkshire Police Designing Out Crime Officer – No objection subject to conditions.
- KC Environmental Health – No objection subject to conditions.

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 27/02/2019).

The site is designated a Priority Employment Area within the Kirklees Local Plan.

Constraints:

The site lies within a coal referral area, land registered as potentially contaminated owing to former uses, and Flood Zone 3a (Strategic Flood Risk Assessment).

Kirklees Local Plan (LP):

- **LP 1:** Presumption in favour of sustainable development
- **LP 7:** Efficient and effective use of land and buildings
- **LP 8:** Safeguarding employment land and premises
- **LP 21:** Highways and access
- **LP 22:** Parking
- **LP 24:** Design
- **LP 27:** Flooding

- **LP 28:** Drainage
- **LP 30:** Biodiversity and geodiversity
- **LP 52:** Protection and improvement of environmental quality
- **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) updated in 2023, and the Planning Practice Guidance Suite (PPGS) first launched in 2014, together with Circulars, Ministerial Statements and associated technical guidance.

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

- Chapter 6 – Building a strong, competitive economy
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flood risk and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment.

Assessment

The following matters are considered in the assessment below –

1) Principle of development
2) Impact on visual amenity (including any heritage considerations)
3) Impact on residential amenity
4) Impact on highway safety
5) Other matters – e.g. trees/biodiversity
6) Conclusion

<u>1 – Principle of development</u>:

Policy LP1 of the Local Plan 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. LP1 goes on further to stating that:

> "The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."

The site is within land designated as part of a Priority Employment Area within the Local Plan Proposals Map. It is considered to support the aims of policy LP8 in that it would not give rise to conflict with established employment uses. Furthermore, it would not contain any element of main town centre uses since

the office element is intended to be ancillary to the principle use for vehicle storage and maintenance. It would therefore not conflict with the aims of town centre policies.

The development would represent a relatively low-intensity use of the site, both in terms of the scale and footprint of the buildings and in terms of the number of jobs it would create (24.5 full-time equivalent), but nonetheless it would result in the restoration and improvement of a plot of previously developed land thereby improving the visual amenity of the area and assisting in wider economic regeneration aims including the regeneration of Huddersfield Town Centre, which lies within walking distance (390m away). It is considered make efficient use of land in a sustainable location which would accord with the aims of policy LP7, and those of paragraph 8 of the NPPF, in supporting the economic aims of sustainable development. It will further be assessed having regard to the aims of good design, transport and environmental issues as set out in the policies above.

Policy LP9 states that wherever possible, proposals for new development will be strongly encouraged to contribute to the creation of local employment opportunities within the district with the aim of increasing wage levels and to support growth in the overall proportion of the districts' residents in education or training. The council will, however, only seek to secure an agreed training or apprenticeship programme with applicants where development meets the threshold of 3,500 sqm or more of business or industrial floorspace. The development now proposed is approximately one-third of this and therefore does not meet the criteria.

2 – Impact on visual amenity:

It is considered that the height, footprint and overall bulk of the development would be commensurate with the size of the site and in harmony with existing development in the vicinity of the site. Buildings fronting St Andrew’s Road, it is noted, are very variable in their scale, degree of setback from the highway and design details. Some are set very close to the footway or even on the footway boundary.

The predominant materials would be profiled steel cladding and coursed stone (up to a height of 1m).

The proposed buildings would have a plain and simple design. The western elevation of the main building would, however, be punctuated by columns in a different material which would ensure that the appearance would not be too monotonous and imposing.

It is noted that the layout of the site would incorporate minimal soft landscaping, this consisting mainly of a 1m strip around most of the western boundary and part of the northern boundary, a slightly wider belt of landscaping near the road junction, and a bund surrounding the fuel tank. It is noted also, however, that the site in its present condition, and before

demolition, was almost entirely hard-surfaced. The proposals would represent an improvement on this situation.

In conclusion, it is considered that subject to a condition requiring full details of materials and finishes, and a further condition to seek details of landscaping, the development would support the aims of good design and improving the visual character of the urban environment, thereby supporting the aims of Local Plan policy LP24(a)

3 – Impact on residential amenity:

The proposed development would not be situated close to existing residential development and it is considered that any noise generated during its use, including from vehicle maintenance and repair, would not give rise to amenity issues.

The site sits amongst existing light industrial uses. The proposed use is for a vehicle hire company with a vehicle maintenance workshop. A compliance condition is recommended to ensure any operational noise does not exceed the existing background levels.

It is considered that subject to the above condition the development would not give rise to any loss of residential amenity and would accord with the aims of Local Plan policy LP24(b).

4 – Impact on highway safety:

St Andrew's Road is a 30mph two-way single carriageway secondary distributor road of approximately 7.8m width with footways on both sides and street lighting present.

No trip generation details were provided with the application, but with approximately 25 employees, it is expected that the trip generation will be lower than the previous use as an office, even taking into account the hiring of vehicles based at the site.

The access to the site is existing and the main gate is set back from the highway by approximately 5m, a secondary security gate is set back a further 17m which should allow large vehicles to be able to pull clear of the highway whilst awaiting this second gate to be opened. No swept path analysis was provided with the application, however as the access is approximately 7m wide and the number of HGVs using it would be limited, this is not judged to be a highway safety concern.

There is a secondary access on to Turnbridge Road that appears to be gated on drawing 2322 01 and no details of the use of this access have been provided. It , however, assumed that it is to be used for emergency access and servicing as it is adjacent to the waste oil store.

Drawing 2322 01 shows five visitor parking spaces (including one accessibility space) and 12 staff parking spaces (including two accessibility spaces). The application form suggests that there would be approximately 40 car spaces and approximately 150 LGV/public carrier vehicle spaces, however these are not detailed on drawing 2322 01 and it is unclear if any of the additional spaces would be available for staff parking. Due to the parking controls to the front of the site and the location of the site, which allows it to be reached easily on foot from the Huddersfield Town Centre and indirectly by public transport routes terminating in the Town Centre, it is considered that this level of parking would be sufficient.

Waste storage and collection is expected to be carried out by a commercial waste company. There appears to be sufficient space within the site for a service vehicle to access and turn within the site so that it could enter/leave in forward gear.

Cycle storage is not acknowledged on the plans or supporting documentation. There would be room to fit in a secure cycle storage facility at the northern end of the site between the main workshop building and the store. A condition is recommended to the effect that the developer must submit full details of cycle storage facilities before the site is brought into use.

The supporting documentation also makes no mention of electric vehicle charge points, which should also be the subject of a condition to ensure that the number installed is commensurate with the scale of the development and number of parking spaces.

Subject to the above, and prescriptive conditions on the retention of the parking and turning areas, the development would not adversely affect the safe or convenient use of the highway, and would accord with the aims of Local Plan policies LP21 and LP22.

<u>5 – Other matters</u>:

Contamination and land stability

The site has been identified on Kirklees' mapping system as potentially contaminated land due to its previous use as chemical works. The submitted Contamination & Flood Risk Assessment by Argyll Environmental is not considered to fulfil the requirements of a Phase 1 Contamination Report. A condition requiring a Phase 1 Contamination Report pre-commencement should therefore be imposed.

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report (09/07/2024, prepared by RGS Ltd and submitted during the application process) are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development and does not recommend conditions or further work to establish the safety of the site.

Subject to the standard contaminated land conditions, there are therefore no concerns about the development's impact upon pollution or land stability and it is therefore judged to accord with the aims of Local Plan policies LP52 and LP53.

Drainage:

The Flood Risk Assessment finds that most of the site is within Flood Zone 2, with a small area (within the central part of the site and not to be built on as part of the proposed scheme) with Flood Zone 3a. It is therefore considered that the risk of flooding is low. To comply with the aims of Local Plan policy LP27 and chapter 14 of the NPPF and thereby minimise the risk to future users, it is recommended that an Evacuation Plan should be prepared indicating emergency procedures to allow safe passage of the building occupants to a place of safety. This can be conditioned.

Local Plan policy LP28 states that for proposals on brownfield sites there should be a minimum 30% reduction in surface water run-off where previous positive surface water connections from the site can be proven. The application form proposes that disposal of surface water would be by means of a sustainable drainage system but no details have been given. A Drainage Strategy report would be required to be submitted to the Local Planning Authority indicating a 30% betterment on current surface water run-off with attenuation storage to prevent off-site flooding for the critical 1 in 100 year rainfall event (plus an allowance for climate change). Discharge of attenuated surface water runoff from the site should outfall into the Yorkshire Water combined sewer in St Andrew's Road (subject to YW approval).

To ensure safe disposal of surface water during construction, a condition regarding temporary disposal of surface water during construction would be required.

Finally, a condition requiring the installation of an interceptor (details to be first submitted and approved) should be imposed since, given the nature of the proposed use, there is a significant likelihood of fuels and other harmful substances being washed into the public surface water drainage system, which the Local Planning Authority should guard against and seek to avoid.

Trees and biodiversity:

There are no mature trees within the site.

Under the Environment Act 2021, most new development must deliver a measured 10% net gain in biodiversity. One exception to this is development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat, or 5 metres of linear habitats such as hedgerows.

All development should, however, enhance the biodiversity of the site where reasonably practicable. This could be achieved through the use of appropriate native species in the landscaping of the site and it is recommended that this be covered by a condition requiring a landscape and ecological management plan. Subject to this the proposal would comply with the aims of Local Plan policy LP30.

Climate Change:

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.

The following measures are set out in the Climate Change Statement:

- Re-use existing foundations;
- Source materials locally;
- Water harvesting to use for washing vehicles;
- Solar panels on south-facing roof slope.

These measures are noted as contributing towards the aims of climate change mitigation and resilience. The south-facing roof slope would only be able to host a small solar array but since this would also offer the greatest efficiency at catching the sun's rays, this is deemed acceptable. It is recommended a condition should be imposed requiring details of the solar array.

Crime and security:
The West Yorkshire Police Designing Out Crime Officer has requested a condition requiring details to be submitted of measures to reduce the development's vulnerability to crime. Since commercial or industrial premises not subject to passive surveillance, they are likely to have significant vulnerability to theft and burglary. This request (for a condition to be imposed) is considered reasonable and in accordance with the aims of policy LP24(e) of the Local Plan.

<u>6 – Conclusion</u>:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation – CONDITIONAL FULL PERMISSION

Decision Authorisation: Delegated Powers

Application Number: 2024/91336

Officer Recommendation: CONDITIONAL FULL PERMISSION

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP20, LP21, LP22, LP24, LP27 and LP28 of the Kirklees Local Plan.

3. Notwithstanding the submitted Contaminated Land Report, 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 189 of the National Planning Policy Framework.
This information is required pre-commencement to ensure that the possibility of contamination is investigated before groundworks commence.

4. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (3), 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 189 of the National Planning Policy Framework.
This information is required pre-commencement to ensure that the possibility of contamination is investigated before groundworks commence.

5. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (4) 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 189 of the National Planning Policy Framework.
This information is required pre-commencement to ensure that contamination is remediated before the building is constructed.

6. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 5. 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 two 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 189 of the National Planning Policy Framework.

7. 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 189 of the National Planning Policy Framework.

8. 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.

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

- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of non-residential parking spaces.

The approved dedicated facilities for charging electric vehicles shall be installed, maintained and retained thereafter.
Reason: In the interest of supporting and encouraging low emission vehicles, so as to support the aims of reduction of carbon emissions and air quality enhancement, to comply with the aims and objectives of Policies LP20 and LP24(d) of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

10. Before work on the superstructure of the building commences, details shall be submitted to and approved in writing by the Local Planning Authority of all facing and roofing materials, and the development shall be undertaken using the approved materials.
Reason: To ensure that the building conserves and enhances the quality of the townscape and visual amenity, and to accord with the aims of Policy LP24(a) of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

11. Before any part of the development is first brought into use, a detailed scheme for the landscaping of the site shall be submitted to the Local Planning Authority. This shall include a schedule, specification and planting plans, which shall provide details of the layout, number, density and size of trees and plants and/or seed mixes and sowing rates. This shall include extensive use of native species and shall demonstrate that the biodiversity of the site will be enhanced. The landscaping scheme shall be implemented within the first sowing or planting season following the substantial completion of the development and shall thereafter be retained as such.
Reason: In the interests of visual amenity, to ensure that the biodiversity of the site is enhanced, and to accord with the aims of Policies LP24(a) and LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

12. 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 + 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 ensure the safe and sustainable drainage of the site and to accord with the aims of Policy LP27 of the Kirklees Local Plan and paragraphs 173 and 175 of the National Planning Policy Framework.
This information is required pre-commencement to ensure that appropriate drainage infrastructure is incorporated into the development during the construction phase.

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
- 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 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 ensure that the site is drained in a safe and sustainable manner throughout the construction process and to accord with the aims of Policy LP28 of the Kirklees Local Plan.
This information is required pre-commencement to ensure that suitable measures are place for the safe drainage of the site at all stages during the construction process.

14. Before the development is first brought into use, details of a flood evacuation plan for the site shall be submitted to and approved in writing by the Local Planning Authority. This shall be implemented from the first day that any part of the development is brought into use and thereafter retained as such.
Reason: To ensure that the residual risk to future users of the site can be safely managed and to accord with the aims of paragraph 173(d) of the National Planning Policy Framework.

15. Development shall not commence until a scheme demonstrating that surface water from vehicle parking and hard standing areas will pass through an oil/petrol interceptor of adequate capacity prior to discharge has been

submitted to and approved in writing by the Local Planning Authority. Roof drainage should not be passed through any interceptor.
Reason: To prevent pollution of the water environment and to accord with the aims of Policy LP28(c) of the Kirklees Local Plan.
This information is required pre-commencement to ensure that suitable measures to prevent pollutants entering the water environment are incorporated into the development during the construction phase.

16. Before any part of the development is first brought into use, all areas indicated to be used for the parking and turning of vehicles on the site plan as proposed shall have been formed and laid out with a hardened and drained surface. These areas shall be so retained, free of obstructions and available for the parking and turning of vehicles.
Reason: To ensure adequate space within the site for parking in the interests of amenity and traffic safety, and to accord with the aims of Policies LP21 and LP22 of the Kirklees Local Plan.

17. Before the main building within the development is first brought into use, details shall be submitted to and approved in writing by the Local Planning Authority of a solar array to be installed on the new build. The solar array thus approved shall be installed and made operational before any part of the new development is first brought into use and thereafter retained as such.
Reason: To ensure that the development maximises opportunities to mitigate the causes of climate change, thereby supporting the aims of Policy LP24(d) of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

18. Before the development is brought into use, details shall be submitted to and approved in writing by the Local Planning Authority of measures to reduce the development's vulnerability to crime. The approved measures shall be implemented before any part of the site is first brought into use and thereafter retained.
Reason: In the interests of minimising the risk of crime for the development and its users, and to accord with the aims of LP24(e) of the Kirklees Local Plan.

Note – Contamination reports

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.

Note – Electric Vehicle Charging Points

At non-residential developments, the requirement for one standard electric vehicle charging point for at least 10% of parking spaces may initially be reduced to one charging point for at least 5% of parking spaces with the remainder provided at an agreed trigger point. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.

Note – Temporary surface water drainage

The maximum allowable off-site discharge rate should not normally exceed 2.5 litres per second per hectare.

Note – Construction site working times

It is recommended that noisy construction related activities should not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays
08.00 to 13.00 hours Saturdays

With no noisy activities on Sundays or Public Holidays

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			13/05/2024
Location plan			13/05/2024
Proposed site plan	01		13/05/2024
Proposed floorplans	02		13/05/2024
Proposed elevations	03		13/05/2024
Proposed store plans	04		13/05/2024

Plan Type	Reference	Version	Date Received
and elevations			
Proposed perspectives	05		13/05/2024
Existing site plan	NDP/393/SP		13/05/2024
Design & Access Statement			13/05/2024
Climate Change Statement			13/05/2024
Coal Mining Risk Assessment	C4483/24/E/6850		09/05/2024
Contamination and Flood Risk Assessment	317217215		13/052024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer did not enter into negotiations with the applicant as the submission of amended or additional plans was not considered necessary.

Report Dated: 19/08/2024