

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 73

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS TO
CARRY OUT DEVELOPMENT WITHOUT COMPLIANCE WITH PLANNING
CONDITIONS PREVIOUSLY ATTACHED**

Reference No:	2024/70/91876/W
Site Address:	108, Bradford Road, Fartown, Huddersfield, HD1 6JR
Description:	Removal of condition of 8 on previous permission 2014/90133 for alterations and erection of single storey extension to existing public house to form shops with new shop fronts at ground floor and 4 self-contained flats at first floor
Recommending Officer:	Laura Yeadon

DECISION – REMOVAL OF CONDITION APPROVED

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.

Emma Thompson

AUTHORISED OFFICER

Date: 17-Oct-2024

Officer Report

[Weblink](#)

Site Description

108 Bradford Road is a triple fronted unit within an existing terraced row which sits on the corner of Bradford Road and Hillhouse Lane. The unit is two storeys in height, constructed from stone with a tiled roof. The submitted details indicate that the ground floor accommodates 3 no. retail spaces with associated accommodation at ground floor level with the residential accommodation (4 no. flats) at first floor.

To the rear of premises is a large car park area which accommodates space for a number of vehicles with 11 no. spaces demonstrated on the plans.

The terraced row in which the premises site are comprised of both commercial and residential units. There is also a mix of both commercial and residential accommodation within close proximity of the site. The site is also located within the defined Hillhouse Local Centre and within an area which is at high risk from former coal mining activity.

Description of Proposal

The application is for the removal of condition of 8 on previous permission 2014/90133 for alterations and erection of single storey extension to existing public house to form shops with new shop fronts at ground floor and 4 self-contained flats at first floor.

Previous permission 2014/9013 had a condition imposed (Condition 8) that stated the following:

8. The ground floor shops hereby approved shall be used for Class A1 (retail) use only and for no other purpose within the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: *To define the extent of the permission applied for and to ensure that adequate parking provision is made for the development in the interests of highway safety in the interests of residential amenity and to accord with policies D2, H9 and T10 of the Kirklees Unitary Development Plan.*

The application seeks permission to remove this condition as the applicant intends to change of use of part of the ground floor of the building from Class E(a) retail to Class E(b) use (sale of food and drink for consumption mainly on the premises).

The application form has been submitted with an application form, existing and proposed plans, a Climate Change Statement, Planning Statement and Noise and Odour Assessment.

History of negotiations/amendments received

No negotiations have taken place with the applicant/agent due to the application being acceptable in its submitted format. However, following initial comments from Public Health, clarification was sought as to whether there would be an element off hot food takeaway. The Agent has confirmed that there is no proposal for sale of any food as a hot food takeaway and that the application is for a restaurant use. Following discussions and for clarity purposes it was requested that the application form was changed from an application for full permission to an application to remove the previous condition 8.

Relevant Planning History

2014/90133 Alterations and erection of single storey extension to existing public house to form shops with new shop fronts at ground floor and 4 self contained flats on first floor
Conditional Full Permission

2014/91697 Discharge of conditions 4 (traffic noise), 5 (air pollution), 6 (ventilation) on previous permission 2014/90133 for alterations and erection of single storey extension to existing public house to form shops with new shop fronts at ground floor and 4 self contained flat on first floor
Approved

2014/92748 Erection of illuminated signs
Granted

2014/92965 Alterations to fascia and shopfront
Conditional Full Permission

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via neighbour notification letters.

Final publicity date expired 13th September 2024 – no representations received

Parish/ Town Council – not applicable

Whilst the application form was changed during the course of the application, due to the nature of the change of use proposed, it was not considered that the application required re-advertising.

Consultation Responses

K.C. Highways – no objection

K.C. Public Health – following clarification that no part of the scheme would be used for takeaway purposes – no further comments

K.C. Environmental Health – conditions requested in relation to noise, odour, drainage and environmental wellbeing

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 without notation on the Kirklees Local Plan but is within the defined Hillhouse Local Centre within the Kirklees Local Plan.

Kirklees Local Plan:

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 3** – Location of new development
- **LP 13** – Town Centre uses
- **LP 16** – Food and drink uses and the evening economy
- **LP 21** – Highways safety
- **LP 22** - Parking
- **LP 24** – Design
- **LP 44** – Waste Management
- **LP 48** – Community services and facilities
- **LP 51** – Protection and Improvement of Local Air Quality
- **LP 52** – Protection and Improvement of Environmental quality

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 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 7 – Ensuring the vitality of town centres
- Chapter 8 – Promoting healthy and safe communities

- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 14 – Meeting the challenge of climate change, flooding & coastal change.
- Chapter 15 – Conserving and enhancing the natural environment

Legislation

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).

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) Previous conditions
- 7) Conclusion

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

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

Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

Chapter 7 of the NPPF relates to ensuring the vitality of town centres and states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach their growth and diversity.

The site is unallocated within the Local Plan but is within the designated Hillhouse Local Centre. Policy LP13 of the Kirklees Local Plan sets out that main town centre uses can help to retain an existing centre's market share and enhance the experience of those visiting the centre and the businesses which operate in that centre will be supported. The defined centres within the Local Plan consist of principal town centres, town centres, district centres and local centres. Policy LP13 goes on to note that the 'local centres' role and function are to:

- Provide for top-up shopping and local services particularly food and drink

The current/most recent use of the site is retail use and it is proposed that part of the ground floor would be changed to a restaurant use. The submitted details indicate that 2/3 of the floor space of the ground floor would be restaurant use with 1/3 retaining its retail status.

The principle of a commercial use of the building has been established via the previous use of the building as a public house and the 2014/90133 application to convert the ground floor of the building to form shops and also to extend the premises.

A retail use (Class E(a)) and a restaurant (Class E(b)) are now covered by Class E therefore such a change of use in itself does not normally require planning permission (it is no longer considered to constitute development). However, in this case, under planning permission 2014/90133 a condition was imposed stating the following:

8. The ground floor shops hereby approved shall be used for Class A1 (retail) use only and for no other purpose within the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

The reason for imposing the condition was:

Reason: To define the extent of the permission applied for and to ensure that adequate parking provision is made for the development in the interests of highway safety in the interests of residential amenity and to accord with policies D2, H9 and T10 of the Kirklees Unitary Development Plan.

Therefore, in this case, permission is required to remove this condition if any use other than retail is proposed. The use of retail and restaurant both fall under the new Class E under the Use Class Order.

Retail and restaurants are both defined as main town centre uses within the NPPF and would not result in the loss of a main town centre use within the Local Centre. It is therefore considered that such a change of use would not compromise the role or function of this centre or adversely affect the vitality or viability of it.

Should permission be granted to remove this condition, it would not be reasonable or necessary to restrict the use of the site as a restaurant use, Class E(b). It would be unreasonable to impose them on this application, especially as this has not been requested by Environmental Health Officers.

Policy LP16 of the Kirklees Local Plan set out that proposal for food and drink will be supported provided that they are located within a defined centre and that, and subject to the concentration of food and drink and licensed entertainment uses are not located within a particularly centre or part of the centre where they would result in harm to the character, function, vitality and viability of a centre, either individually or cumulatively. Whilst this is a material consideration in terms of Policy LP16, in most cases, the proposed change of use would not normally require planning permission.

Further to this, the proposal would replace the retail space with a restaurant whereby the community use would be retained, therefore there would be no loss of community facility and therefore would comply with Policy LP48 of the Local Plan.

The above listed policies and guidance are taken into account within sections below of this report.

2 – Impact on visual amenity:

Policy LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design whereby paragraph 131 states that:

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.

Policies LP1, LP2 and LP24 also seek to achieve good design corresponding to the scale of development within the local area which retain a sense of 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...*

The submitted plans indicate that there would be no physical changes to the building other than a proposed extraction vent to the rear of the building. The vent appears to be in keeping with the existing pipe at the site and would be set above the eaves height but lower than the ridge of the building. The vent

would have limited impact on visual amenity and is typical of what would be evident to works associated with a restaurant.

Therefore, it is not considered that the proposal would cause substantial harm to the visual amenities of the area. The vent would be located on the rear of the building and the proposed bin storage area would also be to the rear and therefore out of view from public vantage points on Bradford Road. It is not clear from the submitted details as to whether the bin storage area would be housed, however given its isolated location, there are limited concerns.

In addition, the reason for imposing this condition was not in the interests of visual amenity.

Taking all the above into consideration, it is considered that the proposed works would have an acceptable impact on visual amenity and would therefore accord with Policies LP1, LP2 and LP24 as well as advice within Chapter 12 of the NPPF.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers.

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.”

Paragraph 135 of the NPPF states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Policy LP16 of the Kirklees Local Plan states that to assess the potential harm from food and drink, licensed entertainment proposals on a centre, certain criteria will be considered as part of a planning application. Specially, Policy LP16 states that this includes amongst other things, the following:

- a. the impacts of noise, general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas;*
- g. the appearance of any associated extensions, flues and installations*

There are residential properties within the first floor of the building (as noted on the existing and proposed floor plans) and adjacent to the site, within the terraced row.

Such a change of use from retail to a restaurant does not normally require planning permission as both uses fall under Class E. It is also worth noting that the area experiences a lot of activity and vehicular traffic during the daytime, given that it is in a Local Centre and located on the Classified A641

Bradford Road. Further to this, with the amalgamation of the previous uses of A1 (retail) and A3 (food and drink) into a E class, Officers hold the view that the Government considered that such uses would likely have similar impacts in relation to noise nuisance, hence the reason for such an amalgamation.

However, the removal of the previous condition 8 is required in order for the premises to be used flexibly within Use Class E.

As such, Environmental Health Officers were formally consulted in relation to the application and the following is a summary of comments in relation to noise and odour and pollution in general.

Officers cite that the application has been submitted with a Noise Impact and Odour Risk Assessment authored by RP Acoustics dated 02 August 2024 Ref: IA&ORA/1275/24/350/v1.0/108 Bradford Road, Huddersfield.

Paragraph 2.02 of the submitted report states that the proposal is to convert the ground floor retail unit to a restaurant serving predominantly fried chicken until 2am with the first floor of the building being retained as residential flats.

In terms of noise from the proposed development, a baseline survey was undertaken from 2 monitoring positions as shown in appendix 5 and a summary within table 3.1 of the submitted Assessment. The comments cite that in this case a BS4142 assessment has been conducted for the kitchen extract plant and based upon the proposed mechanical plant installation as per para 5.01, a low impact is predicted as shown in table 5.1. Consideration has been given to the impact of patrons noise, and again a low impact is predicted with reference made to the vibrant night time economy with regular vehicles and pedestrians into the early hours frequenting the existing hot food takeaways in the locality. Comment is made that that the dwelling flats on the A641 Bradford Road façade have been fitted with enhanced acoustic glazing and ventilation although no specification has been given.

Environmental Health Officers have concerns where commercial operations share a party wall/floor/ceiling with residential and the assessment indicates the sound insulation will not meet with the requirements. A specification of construction is given to ensure it is 10dB above the minimum standard set out in Approved Document E 'Resistance to the Passage of Sound' (ADE) for conversions and this is accepted. A condition is therefore recommended for these mitigation measures to be installed and retained thereafter.

With regards to odour, paragraph 6.01 of the submitted report makes reference to DEFRA Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems and table 6.1 uses the risk assessment to determine the level of odour control required. Officers note that this document was withdrawn in 2017 and replaced with the EMAQ Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2022) document. Whilst the document has been updated, the risk assessment is very similar and the findings are accepted.

With regards to mitigation measure, these have been specified in paragraph 6.02 of the Assessment with a recommendation for a jet cowl to be installed. Officers consider that it is imperative that maintenance is carried out in accordance with the manufacturers/suppliers recommendations in order to ensure that there is no loss of amenity to neighbouring properties.

Whilst the findings of the submitted information are accepted, it is recommended that a condition is imposed to ensure that the implementation and retention of all mitigation measures in order to protect the amenity of neighbouring properties.

In addition, it is also requested that a Noise Management Plan is submitted which details the control measures to ensure that there is no loss of amenity through noise from any amplified music, waste/bottle disposal and patron noise/behaviour; also a condition regarding the installation of a system to ensure the safe disposal of fats, oil and grease to prevent these from entering the wastewater system.

It is therefore considered that subject to the imposition of the requested conditions from Environmental Health, there would be no undue loss of amenity to the residential properties within close proximity to the proposed restaurants in accordance with Policies LP26, LP24 and LP 52 of the Kirklees Local Plan and with Chapters 12 and 15 of the National Planning Policy Framework.

4 – Impact on highway safety:

Permission was granted under application number 2014/90133 for the alterations and the erection of a single storey extension to the existing public house to form shops at the ground floor and 4 self contained flats on the first floor. Consequently, the site currently comprises of 106 (Anmol Sweet Centre), the application site (Al-Karim Clothing and Beauty) to the ground floor, and 4 one bedroomed flats to the first floor.

Under Condition 8 of the approval document, the ground floor area of the building was approved for Class A (retail) use and for no other purpose. Part of the reason for this condition was to ensure that there was adequate parking provision was made in the interest of highway safety.

Highways Officers have been formally consulted and cite that the proposals demonstrate 11 off-street parking spaces to the rear of the site to be shared with the adjacent shop and the flats above, all with access from Hillhouse Lane. Given that the building is located on a reasonably sustainable location on Bradford Road where there is a bus stop to the site frontage and that 11 off-street parking spaces are proposed, Highways Officers raise no concerns with the proposed development.

It is therefore considered that the proposal would not cause detrimental harm to highways safety, in accordance with Policies LP21 and LP22 and Chapter 9

of the NPPF and therefore, in terms of highway safety, there is no objection to the removal of this condition.

5 – 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.

A Climate Change Assessment has been submitted with the application which identifies mitigation measures which are considered proportionate to the works proposed.

Coal High Risk - The application site falls within an area at high risk of ground movement as a result of past mining activities as determined by the Coal Authority. Whilst falling within a high risk area the Coal Authority identify the development type as that which does not need submission of a Coal Mining Risk Assessment. As such it is considered that it is unnecessary in this case to require a survey of land stability to be carried out with regard to previous mining activity which may have taken place within the locality. It is recommended that the Coal Authority's standing advice is provided with any grant of approval. As such it is considered that the proposal is acceptable with regard to ground stability in accordance with policy LP53 and paragraphs 186 and 191 of the National Planning Policy Framework.

6 – Representations:

None

7 – Previous conditions

The previous application included conditions. These are assessed below:

1. Time limit – this does not require reimposing due to the passage of time since the previous granting of permission
1. Approved plans – the plans table shall be altered to reflect the plans under this application
2. External walls and roofing materials – this condition does not require reimposing as no extensions to the building are proposed

3. Noise report – a noise report was submitted as part of this application and therefore this condition shall be updated and reworded to reflect the information submitted and required
4. Noise report – a noise report was submitted as part of this application and therefore this condition shall be updated and reworded to reflect the information submitted and required
5. Extract ventilation system – details have been submitted as part of this application and therefore an appropriately worded condition shall be imposed
6. Parking areas to be surfaced and sealed – details for parking have been shown on the submitted details and therefore this does not need to be reimposed
7. Retail use only – this condition can be removed as part of this application

8 – Conclusion:

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: 2024/91876

Officer Recommendation: Approve

Conditions:

1. 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, LP13, LP16, LP21, LP22, LP24, LP44, LP48, LP51 and LP52 of the Kirklees Local Plan, and to accord with Policies within Chapters 2, 4, 7, 9, 9, 11, 12, 14 and 15 of the National Planning Policy Framework.

2. No food preparation or cooking shall commence until all of the measures specified in the approved Noise Impact and Odour Risk Assessment authored by RP Acoustics dated 02 August 2024 Ref NIA&ORA/1275/24/350/v1.0/108

Bradford Road, Huddersfield have been carried out in full and such measures 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.

3. Before any food preparation or cooking commences the kitchen extract system as specified in the Noise Impact and Odour Risk Assessment authored by RP Acoustics dated 02 August 2024 Ref NIA&ORA/1275/24/350/v1.0/108 Bradford Road, Huddersfield shall be installed. The kitchen extract system shall operate at all times during the preparation and cooking of food and be maintained in accordance with the manufacturer's instructions and as specified in the report.

Reason: To ensure the proposed development does not cause harmful odour pollution within either a public area or at neighbouring premises 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.

4. Before any food preparation or cooking commences, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail the control measures that will be taken to ensure that excessive noise does not arise from the operational use of the property including, but not limited to, the use of amplified music, waste/bottle disposal, patron noise etc. and the actions that will be taken to observe the required control measures. The approved Noise Management Plan shall be implemented before use commences, reviewed periodically and retained thereafter.

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.

5. Before any food preparation or cooking commences a scheme to prevent fats, oils, and grease entering the drainage network serving commercial food preparation and dish-washing areas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to first operation of the development and shall be retained throughout the lifetime of the development.

Reason: To ensure the provision of adequate and sustainable systems of drainage are employed, in the interests of amenity, and environmental well-being and to comply with LP44 of the Local Plan and advice within the National Planning Policy Framework.

NOTE No construction related noise shall be audible beyond the site boundary outside the hours of:
07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours Saturdays
 With no construction related noise audible beyond the site boundary on
 Sundays or Bank/Public Holidays.

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 It is recommended that prior to development commencing the applicant should contact the Food Safety Team of Environmental Services to arrange an advice visit to discuss food safety and hygiene requirements including an appropriate layout. The Food Safety team can be contacted on 01484 22100 (ask for food safety) or by email at food.safety@kirklees.gov.uk.

NOTE All workplaces where staff are employed need sanitary accommodation and all premises which are open to the public for entertainment and consumption of food and drink require toilets that are accessible to the public. If applicants need further advice on number and facilities, then please contact the Health and Safety Team on 01484 221000 (ask for health and safety) or by email at healthandsafety@kirklees.gov.uk

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	LP-01A		4 th July 2024
Existing site plan	PROJ30-XX-XX-00-DR-A-001		8 th August 2024
Existing elevations	PROJ30-XX-XX-ZZ-DR-A-201		8 th August 2024
Existing floor plans	PROJ30-XX-XX-ZZ-DR-A-101		8 th August 2024
Proposed site layout	LP-01A		8 th August 2024
Proposed site plan	PROJ30-XX-XX-00-DR-A-002		8 th August 2024
Proposed floor plans	PROJ30-XX-XX-ZZ-DR-A-102		8 th August 2024
Proposed elevations	PROJ30-XX-XX-ZZ-DR-A-202		8 th August 2024
Proposed 3D plan – view 1	PROJ30-XX-XX-ZZ-DR-A-501		8 th August 2024

Plan Type	Reference	Version	Date Received
Proposed 3D plan – view 2	PROJ30-XX-XX-ZZ-DR-A-502		8 th August 2024
Planning Statement	AK Planning		8 th August 2024
Noise Impact and Odour Risk Assessment	NIA&ORA/1275/24/350/v1.0/108 Bradford Road, Huddersfield		8 th August 2024
Climate Change Statement	Appendix A		10 th July 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 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.

No negotiations have taken place with the applicant/agent due to the application being acceptable in its submitted format. However, following initial comments from Public Health, clarification was sought as to whether there would be an element off hot food takeaway. The Agent has confirmed that there is no proposal for sale of any food as a hot food takeaway and that the application is for a restaurant use.

Report Dated: 1st October 2024

Coal – high