

**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:	2024/62/92553/W
Site Address:	Wappy Springs Inn, Lindley Moor Road, Lindley Moor, Huddersfield, HD3 3TD
Description:	Erection of mixed industrial development (Use Classes E(g)(ii, iii), B2 and B8); including demolition of existing structures, new yard, parking, landscaping, drainage features and ancillary structures.
Recommending Officer:	Louise Bearcroft

DECISION – Full Planning 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.

Nick Hirst

AUTHORISED OFFICER

Date: 15/07/2025

Reference: 2024/92553

Address: Wappy Springs Inn, Lindley Moor Road, Lindley Moor, Huddersfield, HD3 3TD

Proposal: Erection of mixed industrial development (Use Classes E(g)(ii, iii), B2 and B8); including demolition of existing structures, new yard, parking, landscaping, drainage features and ancillary structures.

Site Description

The application site lies to the north of Lindley Moor Road, and to the south of the M62 motorway. In the central part of the site is a vacant public house, the 'Wappy Springs Inn', and its associated car park and outdoor amenity space, together with some ancillary structures. The remainder of the application site (to the east and west of the public house) comprises undeveloped grazing land.

The application site comprises an area of approximately 0.7ha and is entirely located within the Green Belt in the Kirklees Local Plan. Levels across the site are relatively flat and notable features include mature trees along the banking between the northern boundary of the site and the adjacent M62 Motorway, and to the site frontage adjacent to Lindley Moor Road. There are also mature trees located centrally within the site. There is a small stable building abutting the northern boundary.

The site is adjacent to the M62 Motorway, and surrounding land uses include agricultural uses to the north-east, and an industrial development and car showroom to the south on the opposite site of Lindley Moor Road. Directly opposite the site is a Grade II listed boundary stone.

The application site is located within Flood Zone 1 and is therefore generally at low risk of flooding. A culverted watercourse passes through the eastern portion of the site.

Proposal

The application seeks full planning permission for the demolition of the public house and for the erection of a 'Nano Park' which would extend beyond the existing public house curtilage into adjacent undeveloped land. In the Planning statement at paragraph 1.2 the applicant defines the 'Nano Park' concept as follows:

'The Nano Park concept aims to fill a significant gap in the current space provision for small companies, new start-ups, and larger businesses pioneering new products or new markets.'

The proposed industrial development would comprise of 14 units which would be laid out in two blocks in the northern part of the site. Units 1-13 would provide 85sqm (915sqft) of new floor space each, over two floors, and unit 14

would provide 125sqm (1,350sqft) of single storey floor space, for a total of 2,336sqm (25,140sqft) new floor space. The applicant proposes a hybrid approach to occupation of the units with storage or industrial space provision at ground floor and ancillary office accommodation at first floor. The proposed use classes are as follows:

- E(g)(ii) – Research and development of products or processes
- E(g)(iii) –Any industrial process which can be carried out in any residential area without detriment to the amenity of that area.
- B2 – Use for the carrying on of an industrial process other than one falling within the uses described in Class E.
- B8 – Use for storage or as a distribution centre.

Whilst a hybrid approach is envisaged, the proposal would permit any unit to have any of the use classes listed above.

The units would be constructed of natural stone and dark grey cladding with feature glazing. The roofs would have a 6-degree minimum pitch. A yard area is proposed in the southern portion of the site, and vehicular and pedestrian access would be via Lindley Moor Road. The application proposes a new junction layout with a right-hand turning pocket, and off-street parking spaces. A landscaping scheme of tree and native planting is proposed, predominately to the boundaries of the site.

It is proposed surface water would be disposed of via an existing watercourse. Foul sewerage would be disposed of by a package treatment plant.

Relevant Planning History:

Application site

2021/91611 – Erection of 12 units and business hub for mixed industrial development, 1,782sqm hybrid industrial space (Use Class(g)(i, ii, iii), B2 and B8) and 510sqm Industrial (Use Class E(g) (ii and iii), B2 and B8 with ancillary E(g) (i) space), including Part 3 Class V rights for use of that space for up to 162sqm of Business Hub (Use Class E(g)(i) with ancillary E(b)) and up to 510sqm for a Doctors Surgery (Use Class E(e)) or up to 510sqm for a Nursery (Use Class (f)); including demolition of existing structures, new yard, parking, landscaping, drainage features and ancillary structures – Withdrawn

2023/93031 – Erection of mixed industrial development (Use Classes E(G)(ii, iii), B2 and B8), including demolition of existing structures, new yard, parking, landscaping, drainage features and ancillary structures – Refused

Note: Refused on the grounds the development is inappropriate in the Green Belt, that it failed to demonstrate the proposal would have an acceptable impact on highway safety, that it failed to demonstrate the proposal can achieve an acceptable drainage solution and that it failed to demonstrate it could achieve acceptable ecological/landscape mitigation, including a 10% biodiversity net gain.

Surrounding area

2022/91477: Hybrid Planning Application for the erection of an industrial unit for B2 /B8 use, with ancillary office space and associated access, parking, groundworks and landscaping in conjunction with an outline application for mixed use development use class E(b),B2 and B8, with ancillary office space and associated works – Approved

History of Negotiations (including revisions to the scheme):

Officers liaised with the agent to provide:

- A Grey Belt Assessment to address the changes to the National Planning Policy Framework
- Revised highway layout, Road Safety Audit and Designers Response
- Details of Package Treatment Tank to clarify capacity.
- Additional information requested by National Highways
- -Package of updated plans to reflect internal layout changes.
- Additional clarification regarding one of the alternative sites.
- Updated Biodiversity Net Gain Metric

Planning 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).

Kirklees Local Plan (2019)

The site is within the designated Green Belt within the Kirklees Local Plan.

Relevant Local Plan policies are:

- LP1 – Presumption in favour of sustainable development
- LP2 – Place Shaping
- LP7 – Efficient and effective use of land and buildings
- LP20 – Sustainable Travel
- LP21 – Highways and Access
- LP22 – Parking
- LP24 – Design
- LP27 – Flood Risk
- LP28 – Drainage
- LP30 – Biodiversity and Geodiversity
- LP32 – Landscape
- LP33 – Trees
- LP35 – Historic Environment

- LP38 – Minerals Safeguarding
- LP48 – Community Facilities and services
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated and unstable land
- LP59 – Brownfield sites in the Green Belt

The following are relevant Supplementary Planning Documents or other guidance documents published by, or with, Kirklees Council:

Supplementary Planning Documents

- Highway Design Guide SPD (2019)

Guidance documents

- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Waste Management Design Guide for New Developments (2020)
- Green Streets Principles for the West Yorkshire Transport Fund

National Planning Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) 2024 (correction update published Feb 2025) and the Planning Practice Guidance Suite (PPGS), 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 8 – Promoting health and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt Land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 - Conserving and enhancing the historic environment

Other relevant national guidance and documents:

- MHCLG: National Design Guide (2021)

Public/Local Response:

The application was advertised by neighbour letter, site notice and press notice with the final publicity expiring 25th October 2024.

Two objections from members of the public have been received. The main concerns raised are summarised below:

- The site for this proposal is Green Belt. There doesn't seem to have been any consideration to converting the existing pub building (which has been there for many years).
- I would like to strongly object to this planning application due to the proposed building's proximity to local schools, which will significantly worsen existing poor air quality in the area, posing a serious health risk to pupils at Moorlands Primary, Lindley Junior & Infants school, along with the wider community.
- My understanding this is "Green Belt Land" which should remain "Green Belt Land", the proposed development would significantly reduce the available green areas in the vicinity, negatively impacting the local environment, residents' wellbeing, and wild life habitat

Councillor Comments

Councillor Burke

"I am supportive of this application and below are my comments made previously: Regarding the email below regarding the Wappy Spring Nana Park we are very much supportive now of this proposal and would hope that we can now see this opportunity progressed and approved. We see this as a positive and proactive proposal for this site in our ward and for Kirklees, bringing this site into use and creating much needed employment. As you will be aware this site has attracted a lot of ASB over recent years and for us has been a missed opportunity not to see the proposed investment opportunities realised. We are aware the reasons for refusal have been addressed and every effort made to engage with the planning process and elected members. The proposed development will have considerable benefits which we feel outweighs any harm to this part of the green belt. Please can we be kept updated on the progress of this application and if it is not considered for approval, we would wish to see this go to committee for decision!"

Councillor Robinson

"I am, like my fellow ward colleagues in support of this application"

Councillor Smith

"Lindley ward Councillors are in support of this application as I am sure my ward colleagues will confirm"

Amended Plans

Amended plans have been received during the course of the application in response to highway objections. Amendments have been made to the junction design and have necessitated the loss of one unit to provide acceptable swept paths. The corresponding landscaping scheme has been updated accordingly.

The requirement for any additional publicity has been considered, however for reason that the amended proposal reduces the number of units proposed it is not considered necessary to undertake further publicity.

Consultation Responses

The Environment Agency – No response received.

National Highways – No objection following the receipt of additional information.

West Yorkshire Archaeology Advisory Service – No archaeological work is considered necessary.

Yorkshire Water – Based on the information submitted, no observation comments are required from Yorkshire Water. It is noted from the submitted application foul water will discharge to private treatment plant and surface water will discharge to watercourse and soakaway.

K.C Highways Development Management – No objections subject to conditions.

K.C Lead Local Flood Authority – No objections subject to conditions.

K.C Environmental Health – No objections subject to conditions.

K.C Conservation and Design - The demolition of the Inn, along with the loss of open space around it, would be regrettable and we would prefer the applicants to explore the re-use of the existing building rather than its demolition.

K.C Waste Management – No objections.

K.C Ecology – No objections subject to conditions.

K.C Landscape – No objections subject to conditions.

Crime Prevention – No objection in principle, providing that recommendations are considered and implemented.

K.C Trees – There are no protected trees within or adjacent this site. The Arboricultural impact assessment submitted sufficiently details that the proposed design will have little to no impact on all the trees located on site.

Some pruning may be required to the group of trees labelled as G1 to facilitate scaffolding at the building phase but this would be deemed minimal and therefore acceptable. The submitted Arboricultural method statement also sufficiently details the tree protection measures taken during construction. No further comments and no objection.

Assessment

Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the development plan unless material considerations indicate otherwise. This is re-iterated within paragraph 2 of the National Planning Policy Framework (NPPF).

Section 2 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and defines this as the balance of economic, social and environmental elements. Paragraph 10 states that at its heart is a presumption in favour of sustainable development. For decision making this means that development proposals that accord with the Development Plan should be approved without delay, but where the Development Plan is absent, silent or relevant policies are out of date, LPAs should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, or specific policies within the NPPF indicate that development should be restricted.

The application site is located within the Green Belt. The NPPF sets out that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open, and it establishes five purposes of the Green Belt. These are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 153 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Turning to the matter of whether any policy exceptions apply, in respect of paragraph 154 of the NPPF, the proposal does not meet any of the exceptions listed in the sub-sections of this paragraph. The proposal does not constitute a redevelopment of previously developed land, where the proposal would not result in significant harm to the openness of the Green Belt. While an argument could be made (without prejudice to any future assessment) for the redevelopment of the public house (and its curtilage), in this case the proposal encroaches into two areas of undeveloped land either side of the public house, resulting in a linear development which extends significantly beyond the footprint of the public house and its curtilage area. The development of 14 industrial units would have a significantly greater impact on the openness of the Green Belt than the previously developed part of the site (public house).

Moving onto paragraph 155 of the NPPF, this states that commercial development within the Green Belt should not be regarded as inappropriate where:

- a) the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) that there is a demonstrable unmet need for the type of development proposed,
- c) that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework, and
- d) where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.

The NPPF states that for the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

A 'Grey Belt' assessment has been provided in response to Policy changes made in December 2024 in the National Planning Policy Framework.

a) (part 1)...the development would utilise grey belt land...

In relation to the first part of a) above, Planning Practice Guidance states that when making judgements as to whether land is grey belt, authorities should consider the contribution that assessment areas make to Green Belt purposes a, b, and d from paragraph 143. Taking each of these in turn:

a) To check the unrestricted sprawl of large built-up areas

Planning Practice Guidance states assessment areas that make a weak contribution are likely to include those not adjacent to a large built up area, or

which are adjacent but contain or are largely enclosed by significant existing development. Assessment areas that contribute moderately are likely to be adjacent to a large built up area, but include features that weaken the land's contribution to this purpose, such as physical features that could restrict and contain development. It goes on to say the land may be partially enclosed by development, such that new development would not result in an incongruous pattern, that the site contains existing development, or is subject to urbanising influences. Areas that contribute strongly are likely to be free of development and lack physical features that could restrict and contain development. They are also likely to be adjacent to a large built up areas and if developed would result in an incongruous pattern of development.

The author of the statement considers that the strong boundaries of the site and a lack of opportunity for further sprawl, together with the fact that the M62 is the main barrier to any merging of settlements, mean it would be difficult to sustain an argument that this site "strongly contributes" to this purpose.

Officers note that the site is not immediately adjacent to existing built up development as it is physically separated from the wide suburb of Lindley by Lindley Moor Road and retains a localised countryside character. The openness of the fields and the treed backdrop gives visual relief to the heavily urbanised nature of the land on the other side of Lindley Moor Road. Weight is also given to the expanse of open land north of the M62 (within Calderdale).

Officers consider the site makes a moderate contribution to this purpose of the Green Belt, being located in proximity to an adjoining built up area, but including features that weaken the land's contribution to this purpose, including the M62, and Lindley Moor Road that has the ability to restrict and contain development. The spread of development on this site beyond the footprint of the existing public house would not result in an incongruous pattern of development.

b) To prevent neighbouring towns merging into one another

The author of the statement draws references to the presence of the M62, noting this prevents any merging with Calderdale, and makes references to an isolated group of buildings to the southern side of the M62 in Calderdale which the author notes are 600m away from the application site.

Officers note the area comprises a gap between built up areas, however this is only a small gap and the presence of the M62 weakens the contribution to this purpose meaning the site could be developed without the loss of visual separation. Officers consider the site only makes a moderate contribution to this purpose.

d) To preserve the setting and special character of historic towns

There is no clear policy definition of what is a historic town. Strongly performing sites are those which are considered to make a considerable contribution to the special character of a historic town. Assessment areas that

have a moderate contribution are likely to form part of the setting and/or contribute to the special character of a historic town, and weak areas will have no connection.

The Author of the Statement provides no commentary other than quoting the Council's Green Belt Assessment and refers to "No Impact". This data is considered to be out of date for the purposes of an assessment of Grey Belt, however officers note the site does not form part of the setting of an historic town and has no visual and physical connection to one. Officers therefore consider the site makes a weak contribution to this purpose.

Footnote 7

As detailed in the NPPF, the definition of Grey Belt excludes land where the application of policies relating to the areas or assets in footnote 7 to the NPPF would provide a strong reason for refusing or restricting development. These include habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

The author of the statement has identified that the site does not fall within a Footnote 7 asset or area (other than Green Belt), and officers acknowledge this position.

Considering the above assessment, officers conclude that the site does not constitute Grey Belt land, per its definition within the National Planning Policy Framework.

a) (part 2)...the development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

In respect of the remaining purposes of the Green Belt not previously discussed above, purpose c) relates to safeguarding the countryside from encroachment. The author of the statement has not provided any specific evidence in respect of these purposes. Officers note that in respect of the role of the Green Belt in safeguarding the countryside from encroachment, the application site does perform this role although it is accepted that this is relatively minor. The proposed erection of a Nano park would result in encroachment and cause harm to the purposes of including land in the Green Belt, however it is not considered it would fundamentally undermine the purposes of the remaining Green Belt across the district. Furthermore, post development, the site would result in a strong defensible boundary for the Green Belt, given the barrier of the M62 to the north.

Moving on to purpose e) to assist in urban regeneration by encouraging the recycling of derelict and other urban land, the applicant has provided an alternative site assessment. This has considered alternative sites and concluded that there are no other sites which are suitable and available, and furthermore the need for the type of development is such that this site is needed in addition to existing urban land. This is discussed in more detail below, however on the basis of this evidence officers consider that the proposal would not undermine the recycling of derelict land in Kirklees.

In light of the above, the proposal is considered to comply with test a) of paragraph 155, being Grey Belt land and that it would not fundamentally undermine the purpose of the Green Belt.

b) that there is a demonstrable unmet need for the type of development proposed.

The applicant has provided a 'Need Statement' with data from the Office for National Statistics which shows a growth for business start-ups, but that there has also been a reduction in net business registrations. ONS data supplied by the applicant suggests a large proportion of businesses in Kirklees are either microbusinesses or small businesses and the applicant goes on to argue that lack of floorspace is preventing growth and success for smaller businesses. Officers note the low rate of business births compared with the UK; however, it is considered the fall in net business births may have arisen due to other factors affecting the district and not just a lack of floorspace. Regarding the information on micro and small businesses, it may be the case that the businesses have secured the floorspace they require, or the operational requirements mean floorspace is not required. Therefore, it is considered the ONS data on its own is insufficient to support the case.

In respect of under delivery of small business space the applicant contends that the market favours larger units, whilst smaller units are less attractive due to additional costs which results in an under supply. In the 'Leeds City Region Strategic Employment Evidence - Land and Property' report dated February 2021 it identifies an under supply of small and mid-sized premises, acting as a barrier to growth and that the strength of the warehouse market encourages development at the expense of small industrial units. In Kirklees where there has been development and/or a planning application on an allocated site, larger scale premises have come forward. It is considered this proposal could help address any undersupply of small industrial units, however this evidence covers all the Leeds City Region and not just Kirklees.

In respect of quantitative need the applicant has used past take-up to assess the need for floorspace, and has identified a need for 2,291 sqm of small unit space per year. The applicant states the requirement for employment floorspace is low and the Council is over reliant on PEA sites to meet employment needs and smaller units have been excluded from the land supply and space is not being delivered. It is agreed that past take up can be a way in which the need for employment floorspace can be assessed.

Evidence highlights a need to provide smaller units across the Leeds City Region.

In respect of Occupier Need the applicant has set out a list of businesses requiring small units. On the list, there are businesses which want to locate in West Yorkshire, on the M62 corridor or in the Kirklees/Calderdale area. The application could provide floorspace for 15 of the businesses on a list of 38. As the application site is accessible from the M62 and is close to the district boundary of Kirklees and Calderdale, this site would fulfil the locational requirements of all the businesses listed in Appendix 4. It may be the case that there are more businesses who need 1,000-2,000 sq.ft of floorspace who did not participate in the applicant's survey and therefore it is considered that there is an occupier need for small business space, however this is along the M62 corridor and not specifically in Kirklees.

To summarise, there is evidence produced by the applicant and Leeds City Region which indicate an undersupply of small to mid-size premises, and evidence from the applicant that indicates a demand within the M62 corridor.

The applicant claims there is no existing space on the market for this sector, no space with planning permission for this type or scale of use, and no alternative sites to meet this need. The requirements set out by the applicant are as follows and have informed the approach used to define the area of search:

- **Locational Requirements:** Good access to the motorway network, to the main road network, to larger existing employment locations (customers and other businesses) and to urban areas (customers and staff)
- **Avoid Constraints:** for example, very steeply sloping sites (which would increase build costs) and access through residential areas (which might cause amenity or environmental concerns)
- **Reasonably Available:** Suitable, achievable and deliverable within the next 3 years (available within 3 years)

A catchment area has been defined based on a 10-minute drive time from the motorway junctions in Kirklees. The applicant considers this catchment is broad enough to avoid excluding too much of the district, whilst capturing the need for occupiers to be able to access the main strategic highways network. Officers consider a 10-minute drivetime appropriate in terms of having good access to the motorway network. Proximity to the strategic road network is important to ensure that a site is well located to enable the efficient movement of HGV traffic and other associated vehicles to the existing and potential users of the site.

The applicant considers significant site constraints would have the potential to increase build costs. This is acknowledged, however officers do not consider that access through residential areas should be considered a significant constraint, and potential sites should be considered further, as developing

such sites wouldn't always result in residential amenity or environmental concerns.

An occupier questionnaire of existing small units/starter units was undertaken which concludes the design and environmental expectations of occupiers is high. Most companies were looking for new premises for a considerable period (70% looking for over 3 months) and were not able to find anything to meet their needs, in their preferred location (100%). Only 20% were able to find something which met their needs, but not in their preferred location. The applicant concludes based on this evidence there is an inadequate supply of this product locally, which suggests that developments secured on the Local Plan employment allocations have not delivered this type of product. All units currently on the market (searched by Eddisons property search engine via the Council's website) are outside of the catchment area. Council owned flexible workspaces have been considered, but most are fully let, and the applicant has reviewed available property by looking at local estate agents web pages and using their search functions, 3 properties were found and all of them are considered not appropriate by the applicant.

The applicant has reviewed all (in the applicant's opinion) the available sites within the parameters set out above and discounted them all for this use due to suitability, availability or deliverability issues. A total of 40 sites have been identified and analysed by the applicant. The full site assessment proformas are provided as appendices and cover the following sites:

- Employment Allocations
- Mixed Use Allocations
- Priority Employment Areas (PEA) sites
- Safeguarded Land

Employment allocations - 6 allocations have been identified by the applicant that are within the search catchment. All of those are either fully developed or not available to the applicant now and are therefore not considered as reasonably available.

Mixed-use allocations - 7 allocations have been identified by the applicant within the search catchment; however, these have been discounted as either fully developed or not reasonably available. Officers note however that the site at Lindley Moor (MXS3) is adjacent to the Wappy Springs site and offers all the locational requirements, set out by the applicant as needed by this type of development. The approved planning application proposes in outline (among other things) 11 small B2/B8 units (with ancillary office) ranging between 260 and 525 sqm each. These units, even though they are a little larger than the proposed nano units, would help to meet the demand for start-up and small business space set out by the applicant. The Lindley Moor allocation is an Enterprise Zone, where the key focus, as set out by the LCR SEP is "the acceleration of development and delivery of high-quality employment floorspace in the advanced and innovative manufacturing and complementary sectors'. This is exactly the floorspace the Nano park aims to provide. Lindley Moor East is a 6.3 ha site planned to deliver between 16,250-

22,000 sqm of B1/B2/B8 floor space. This site has an excellent strategic position, as it is centrally located on the East/West M62 motorway link across the country and able to utilise either of the North/South M1 and M6 motorway links.

Priority Employment Areas- The LPA accepts some vacant land within PEAs is only suitable as expansion land for existing businesses and that with the constraints listed above the number of potential sites within PEAs will be limited. Although these are smaller sites which would lend themselves to small startup businesses.

Safeguarded Land - This land is to be protected from development during the local plan period to be considered for development through a review of the Local Plan. The consideration of the permanent development of safeguarded land will only occur through a change to the allocation through a review of the Local Plan. Therefore, it is not appropriate to consider Safeguarded Land at this stage.

In respect of the site at Lindley Moor (MXS3) adjacent to the Wappy Springs site, this offers all the locational requirements set out by the applicant as needed by this type of development, and the applicant was asked to provide clarification on why this site is not suitable. The response received states the small units on this site are in outline, part of a larger master-planned site, with an anticipated 5 years to submit and implement, and the overall need for this type of development is greater than the spaces identified. They go on to say there is no guarantee the developer would deliver those small units as economics works against this type of unit being provided, such there is no delivery guarantee, and it is unlikely that the costliest element of the site would come forward first. They also contend the need is such that both sites are required. To summarise, the applicant has considered and discounted alternative site options, including the site at Lindley Moor, and has provided evidence regarding an unmet need.

Weighing the above assessment and commentary, officers accept this position, and conclude that there is a demonstrable unmet need for the proposed development.

c) that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework,

The author of the statement notes that a sustainable location is not defined, but cross references paragraphs 110 and 115 with a focus on “limiting the need to travel and offering a genuine choice of transport modes” and general highways safety, access and capacity. The author refers to the Transport Assessment, in respect of the accessibility to bus stops which although beyond desirable walking distances have a high frequency of services to main centres, a large proportion of Huddersfield's population is within 8 km cycle distance of the site, the proximity of residential areas, local shops and takeaways. The author goes on to say the site is on the main road, close to a

motorway junction and, is opposite sites which have recently been allocated, approved and developed for commercial purposes.

Officers note these comments and concur, therefore accepting the site to be in a sustainable location.

d) where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.

The author of the statement notes that the 'Golden Rules' apply to housing developments only.

Officers acknowledge this and agree.

Summary of Principle

The applicant has provided evidence to satisfy the relevant sub-sections of paragraph 155 of the NPPF, that the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; that there is a demonstrable unmet need for the type of development proposed, that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework, and where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.

Accordingly, in accordance with paragraph 155, the proposed development is not considered inappropriate within the Green Belt.

Loss of Public House Use

Paragraph 98 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning decisions should 'guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.'

Further to this, Policy LP48 of the Kirklees Local Plan relates to community facilities and services. Policy LP48 states that: "Proposals which involve the loss of valued community facilities such as shops, public houses and other facilities of value to the local community will only be permitted where it can be demonstrated that:

- a. there is no longer a need for the facility and all options including the scope for alternative community uses have been considered; or*
- b. its current use is no longer viable; or*
- c. there is adequate alternative provision in the locality to serve the local community which is in an equally accessible location; or*
- d. an alternative facility of equivalent or better standard will be provided, either on-site or equally accessible; and*

e. any assets listed on a Community Asset Register have satisfied the requirements under the relevant legislation.”

The text supporting LP48 notes that:

“Where the proposal involves the loss of land or premises presently or last in community use, the applicant will normally be required to provide evidence covering the results of reasonable attempts to actively market the land or premises for sale or lease, at existing use value to demonstrate that there is no longer a need for the facility.

The following additional information will be required for licensed premises:

- the last 3 years trading accounts with a breakdown of the percentages of income from food and drink;*
- where a dining facility is provided, details of the market aimed at and the number of covers available;*
- who the licence is currently held with and when it is due for renewal;*
- the opening times for the premise*

This matter was considered and concluded in the previous planning application. Evidence was provided that the existing public house, the Wappy Spring Inn closed in 2022. In relation to criteria (a) and (b) of Policy LP48 of the Kirklees Local Plan, a LP48 statement was submitted, although officers considered it to be basic. This statement noted “The site was marketed for around 2 years before the applicant purchased it. There were only two interested parties in purchasing the one site, one was a popular garage forecourt operator who later pulled out of the deal, and the other was Frank Marshall Estates”. The statement lacked details of specific dates during which the property was marketed, details of who the site was marketed with, and how it was marketed.

In respect of the additional information required for licensed premises, 3 years trading accounts had been provided from Companies House which all show a loss, however this does not breakdown the percentages of income from food and drink. Within the statement it confirmed the opening times for the premise were Tuesday to Saturday 17:00 to 23:30 and Sunday 12:00 to 23:00, with 17 tables for dining. Details were provided confirming that there is a licence still in force, although the licence holder has retired.

Officers raised concerns with the lack of detail provided in the statement in respect of criteria (a) and (b). Notwithstanding this, the evidence showed that the public house made a loss for the last three years, and in the absence of any further detailed financial information, which the applicant states they are unable to obtain, this was taken at face value.

It was considered the information was, on balance, sufficient to demonstrate that the proposal has met the criteria point (b) of Policy LP48, that the current

use is no longer viable. Officers' conclusions remain as per the previous application.

Town Centre Uses

The applicant envisages the units would be hybrid in nature, to be used for either storage or light industrial space on the ground floor, and office accommodation at first floor.

In the previous application, permission was initially sought for all the units to have office use (use class E(g)(i)). In these circumstances, as a main town centre use the applicant would be required to submit a sequential test and impact assessment in accordance with Local Plan Policy LP13. The applicant subsequently omitted office use and provided the following clarification:

“These would be 2 storey buildings, with the office upstairs and the main use below. The small size of the individual unit means that having “ancillary” office would mean too small an area of space to be practical. This means that they end up being pretty much 50/50 (hence hybrid) office component and storage / light industrial. However, the main business would not be office related. The office component would always be linked to a B2 / B8 / Eg(iii) main use”

An ancillary use can be generally defined as a use which support the activities of the primary use. In this case a proposal for half the floorspace for office use could potentially amount to more than an ancillary use, however the proposal is speculative and the floor plans do not show internal layout details.

On balance, taking into account the description of development, a sequential test and impact assessment is not required.

A condition is recommended removing the ability to change use within a use class, to prevent a future change of use to a main town centre use without assessment via a planning application.

Minerals

The application site is within a wider mineral safeguarding area relating to surface coal resource (SCR) with sandstone and/or clay and shale and Local Plan policy LP38 therefore applies. This states that surface development at the application site will only be permitted where it has been demonstrated that certain criteria apply. Criterion 1a of policy LP38 is relevant and allows for approval of development here if the mineral concerned is proven to be of no economic value as a result of the undertaking of a Mineral Resource Assessment.

The applicant has submitted a statement which highlights that the site is at the bottom of an embankment which supports the M62. This embankment will require a pillar of support to retain the stability of that slope, and any quarrying in this location could potentially cause the M62 to collapse if works remove

the supporting rock structures. Similarly, Lindley Moor Road, Old Lindley Road and the adjacent property need to remain on competent ground. Taking into account these matters, including the need to support the adjacent retaining wall at the north east corner of the site, and the need to bench the sides of the extraction faces, the statement concludes there would only be a very small amount of available stone would not be commercially attractive to extract. The applicant considers it highly unlikely that a commercial quarry operator would mobilise the resources required to extract a small amount of available stone, particularly given it's likely quality. The author of the statement goes on to say that whilst a full mineral resource assessment has not been undertaken, the cost of mobilisation would far exceed the possible returns, particularly given the areas that need to be preserved to ensure that the surrounding infrastructure remains on competent ground. The statement concludes the development will therefore have no effect on sterilising mineral resources, as existing infrastructure serves to make the mineral under this site unextractable.

The applicant has concluded that the mineral is of no economic value and that LP38 Part 1 a. is satisfied. Officers concur with this assessment.

Highway Issues

Local Plan policy LP21 requires development proposals to demonstrate that they can accommodate sustainable modes of transport and can be accessed effectively and safely by all users. The policy also states that new development would normally be permitted where safe and suitable access to the site can be achieved for all people, and where the residual cumulative impacts of development are not severe.

The NPPF states that, in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, that safe and suitable access to the site can be achieved for all users, and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or highway safety, can be cost-effectively mitigated to an acceptable degree. The NPPF continues that that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or if the residual cumulative impacts on the road network would be severe.

The site takes access off Lindley Moor Road with the nearest Village being Lindley. The site is located in between the junctions of Old Lindley Road and Haigh House Hill.

The proposal has been identified as having a limited level of traffic generation, both to the local network and strategic network, by K.C. Highways Development Management and National Highways, respectively.

K.C Highways Development Management initially raised concerns that the site access should be designed in accordance with DMBR standards given

the road is subject to a 40 mph speed limit and is an abnormal road route. Furthermore, there are a number of commercial developments on this road, and on-site observations indicate they have been constructed in accordance with the relevant guidance. The concerns raised were that the design was substandard for a commercial development, and whilst vehicle swept paths are indicated for a refuse collection vehicle of 9.62m in length they indicated conflict at the access. There was also potential for vehicles to overhang the public highway due to the siting of the units in terms of vehicular manoeuvres.

Following negotiations a revised site access has been provided which indicates access for HGV vehicles can enter the site unhindered and be free from conflict with vehicles making turning manoeuvres internally. A stage 1 safety audit and designers' response has been carried out and is concluded to be acceptable. In summary K.C Highways Development Management consider the revised proposals to be acceptable subject to conditions.

National Highways note that whilst the Transport Assessment has not referred to the Department for Transport circular 01/2022, the small number of trips onto the Strategic Road Network mean that physical mitigation is not sought. They request a Construction Traffic Management Plan is conditioned given the proximity to M62 Junctions 24 and 25, and the likelihood of construction routes utilising the Strategic Road Network.

In respect of other matters, National Highways note the M62 sits adjacent to, and slightly above, the site. Level changes are shown along the site boundary with the M62 with a retaining wall being shown behind units 1 to 4 and a 2m high palisade fencing to the perimeter. National Highways raised concern that the distance of these relative to their highway boundary was not specified and was required to assess risk to the stability of the embankment, furthermore there are drainage pipes at the bottom of the highway embankment. They requested sufficient space to be able to maintain highway drainage and wished to see a maintenance strategy for the foul drainage. In response the applicant has provided a clarification document which National Highways accept. They raise no objections to the development subject to the imposition of recommended conditions.

Officers consider National Highway's requested conditions to be reasonable and necessary, and therefore recommend these conditions be included.

The Waste Collection Authority does not have a legal duty to collect Commercial and Industrial Wastes. However, regardless of the contractor adequate access is required. The Waste Collection Authority noted there is limited information on the likely tenants and difficult to predict waste storage capacity at this time. There should however be separate provision for recyclates and residual waste, with a drag out distance for wheeliebins under 15m. For fire risk bins should be more than 6m from property. K.C Highways are satisfied that the revised layout allows for adequate turning to provide suitable access for waste collection. The detailed collection points can be addressed by condition.

In summary, Highway safety issues have been addressed, subject to the inclusion of recommended conditions.

Urban Design and Heritage issues

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, heritage as assets and landscape. The site is located within the green belt, with the central part of the site being occupied by the vacant public house and the remainder of the application site comprising undeveloped grazing land. In respect of heritage features the site is located directly opposite the Grade II listed boundary stone between Lindley and Old Lindley.

The existing building on this site, the Wappy Springs Inn, is understood to date to the late 18th century. Conservation and Design have commented that it could be considered a non-designated heritage asset, and consider the demolition of the Inn, along with the loss of open space around it, would be regrettable and they would prefer the applicants to explore the re-use of the existing building rather than its demolition.

Within the LP48 statement referred to above, it states the site was marketed for around 2 years and there were two interested parties in purchasing the site, a garage forecourt operator and the applicant. As discussed above, the statement lacks detail, however at face value it appears that there is no interest in an alternative use of the existing public house building. There are no local criteria by which to assess whether a particular building constitutes a non-designated heritage asset, and whilst the building has a level of social interest as a public house, architecturally it has been significantly modified. In summary therefore, there is considered to be insufficient evidence to support a reason for refusal for demolition of the public house on these grounds.

The listed boundary stone is located on the opposite side of the road, and with the proposed planting, this would soften the impact of the development on its setting and lead to negligible harm.

The proposed units would be located towards the north of the site, with a yard, off-street parking and a landscape buffer on the southern side of the site facing Lindley Moor Road. The development would inevitably have a transformative effect on the appearance of the application site, as except for the public house building, the site is currently green space. The units would however have a functional industrial design, to be constructed of natural stone, dark grey cladding and glazing with standing seam roofs. Officers do hold reservations over one of the materials specified, the 'cedral lap wood fibre cement board cladding', and question whether an apparent 'timber effect' material would be suitable. Nevertheless, this matter is not fundamental to the decision, and a condition for final approval of material samples is recommended.

The proposed boundary treatment comprises of a 2m high paladin mesh fence (colour black) with 2m high automatic sliding gate. There is an example of the use of mesh fencing in the area associated with the industrial unit to the other side of Lindley Moor Road, and on balance is considered to be acceptable.

West Yorkshire Archaeology Advisory Service (WYAAS) note the application site lies on the northern side of the predicted line of Roman road 712. This was excavated to the east in 1969 during construction of the M62 and to the east at the Crosland Road Junction where the road survives as an upstanding earthwork (West Yorkshire Historic Environment Record MWY2598). However, they advise other attempts to locate the road have proved fruitless and its survival is patchy. Two phases of roadside ditches are recorded closer to Outlane and illustrate the widening of the Roman route. Based on their current information WYAAS consider it is unlikely that the proposed development will impact on the Roman road or associated remains. In this instance no archaeological work is considered necessary.

West Yorkshire Archaeology Advisory Service note the grade II listed 18th-19th century boundary stone is located slightly south-east of the site across A643. They advise wayside markers are vulnerable to damage during works in their vicinity and recommend a condition to secure measures to protect the boundary stone from accidental harm by construction related traffic put in place. This matter can be addressed by condition.

Trees

Local Plan policy LP33 is relevant. The applicant has submitted an Arboricultural Impact Assessment. K.C Trees note there are no protected trees within or adjacent this site. The Arboricultural impact assessment submitted sufficiently details that the proposed design will have little to no impact on all the trees located on site. Some pruning may be required to the group of trees labelled as G1 to facilitate scaffolding at the building phase but this would be deemed minimal and therefore acceptable. The submitted Arboricultural method statement also sufficiently details the tree protection measures taken during construction. No further comments and no objection.

Landscaping

The Council's Landscape Architect has assessed the landscape plan submitted and raises no objections, subject to conditions to secure a 5 year replacement for any failed planting, a maintenance and management plan, and ensuring appropriate root protection for trees.

Residential Amenity

Local Plan policy LP24 requires developments to provide a high standard of amenity for neighbouring occupiers.

By virtue of the proposed development's scale, layout, and separation to the nearest residential properties, there are no concerns over potential overbearing, overshadowing, or overlooking impacts.

The nearest noise sensitive properties to the site are located to the north off Haigh House Hill (to the north of the M62), and to the south-west off Lindley Moor Road. There is a potential for loss of amenity to the occupiers of nearby properties from noise and vibration from the construction phase of the development. Therefore, it will be necessary for a condition restricting the times when noisy construction activities (including deliveries) will be permitted.

Due to the scale of the development there is a significant potential for loss of amenity to the occupiers of nearby properties from fugitive dust emissions during the construction phase. Therefore, it would be necessary to impose a condition requiring a Dust Mitigation Plan. The plan should include a risk assessment to identify all sources of dust emissions during the construction phase and detail the mitigation measures required to control such emissions. These matters can be addressed by condition.

Environmental Issues

Air Quality

Concerns have been raised in the representations received that air quality in the area is poor and the proposed development could potentially lead to an increase in respiratory conditions, affecting pupils at local schools.

An Air Quality Assessment has been submitted in support of the application. K.C Environmental Health have reviewed this in accordance with the West Yorkshire Low Emissions Strategy Technical Planning Guidance, and the application has been classed as Medium because it is not within an Air Quality Management Area (AQMA) or near to a road of concern and falls below the criteria for a Major development. Therefore, a screening assessment has been undertaken.

K.C Environmental Health note the document assesses the impact of the future development on air quality and the nearest AQMA 3 which is approximately 640m to the north east of the application site. Table 2 informs the Measured Annual Mean NO₂ concentrations for stations closest to the proposed development. The data indicates Annual Mean NO₂ concentrations are dropping, having looked at 2023 data on our systems this trend is followed at these locations. With an assumed 50% distribution east and west along Lindley Moor Road, it is anticipated that the development will result in 69 daily vehicle movements. This will add 35 daily trips to the local road network and increase traffic on Lindley Moor Road by 0.2%. The report concludes that the proposed development will have an insignificant effect on air quality and as the proposal is for commercial use only there would be no relevant exposure. Therefore Type 2 mitigation would be required consisting of the following:

- electric vehicle charging points for 10% of parking spaces
- convenient links to alternative modes of transport for employees such as walking, cycling or buses to and from the proposed development
- secure cycle parking

Given the units shown are relatively small individual premises, K.C Environmental Health accept the assessment and recommend a condition to secure the necessary mitigation.

Ground Conditions

The site is not shown as being potentially contaminated due to its former use and is not located within 250m of a former landfill. In support of the application a phase 1: Desk Top Study Report (Preliminary Environmental Risk Assessment) has been submitted. The site was visited in March 2021, at the time no underground tanks were noted or evidence of fly tipping. The site history from 1854 has been listed and the site is not within a Coal Authority High Risk Area. A culvert has been identified in the North East corner of the site. There has been some development on site in addition to the public house. The future development is largely hard landscaped with some planting around the borders. A Conceptual Site Model has been presented in Section 5 of the report indicating a negligible or very low risk in regard to contaminated land considerations. K.C Environmental Health note that the report recommends intrusive investigations for Geotechnical purposes and recommend a condition to ensure a watching brief is maintained should contamination be encountered.

Ecology

A significant proportion of the application site comprises undeveloped land and the applicant has submitted a Preliminary Ecological Appraisal.

K.C Ecology initially raised a query regarding the Preliminary Ecological Appraisal, that considering the initial site visit was conducted in 2021 and report checked in 2024, the applicant was asked to confirm if there has been a review of the site regarding bats. In response the applicant provided the following statement via email correspondence:

“We can confirm that the re-survey in 2024 was undertaken in accordance with Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good practice guidelines (4th edn). The Bat Conservation Trust, London. In 2024, fire had rendered the site unsuitable for use by bats and it has negligible potential for use for roosting in accordance with the definitions of roosting potential under Collins, J. (ed) (2023)”.

KC Ecology have confirmed that following the confirmation above the report is reasonable and acceptable, subject to the imposition of a CEMP condition.

Biodiversity Net Gain

The provision of a Biodiversity Net Gain (BNG) of 10% is a mandatory requirement for developments in England under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) (hereafter the Act). This is subject to limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicants have submitted a Biodiversity Net Gain Statement and Metric. The Council's ecologist notes that the trading rules are not satisfied due to the loss of 0.18 units of neutral grassland of moderate distinctiveness. Although the recommendation has been suggested to achieve this with a local habitat bank or statutory credits, it is necessary that all trading rules are achieved with on-site BNG. Accordingly, the gain plan must present a viable proposal for achieving net gain and as this may involve more land than allocated within the red line, this matter needs to be considered pre-determination. In response the applicant provided the following statement (via email correspondence):

"The proposed development demonstrates a Biodiversity Net Gain (BNG) in excess of +10% under the Statutory Biodiversity Metric, despite the site not being subject to the statutory BNG requirement under Schedule 7A of the Town and Country Planning Act 1990.

While trading rules within the statutory metric are designed to prioritise certain habitat improvements, they are only mandatory for developments subject to statutory BNG requirements. As this site does not fall within the statutory BNG regime, strict adherence to trading rules is not a legal requirement for demonstrating net gain.

Key points confirming policy compliance:

- 1. The development is not required to meet statutory BNG obligations but has voluntarily applied the Statutory Biodiversity Metric, ensuring a robust and transparent assessment of biodiversity changes.*
- 1. A net gain of over 10% in biodiversity units is achieved, which aligns with the overarching policy objectives of the Environment Act 2021 and good practice in sustainable development.*
- 2. Trading rules do not override the fundamental principle of net gain, which is to deliver an overall improvement in biodiversity value. The metric output confirms a positive biodiversity outcome, consistent with national policy aims.*

In light of this, the development clearly delivers a meaningful biodiversity uplift, aligning with both the intent and spirit of biodiversity net gain policy. We therefore request that the Local Planning Authority acknowledges that the +10% net gain achieved is a valid and policy-compliant outcome, even in the absence of strict trading rule adherence under Statutory Biodiversity Metric to which the site is not subject".

Notwithstanding the above, officers note this application is subject to statutory BNG, and there is a deficit of 0.18 units to comply with the trading rules. This can be addressed by condition (note), and the Council's Ecologist has previously advised the BNG metric and report are reasonable and acceptable. In accordance with The Act, due regard must be given to whether the proposed net gain (including enhanced areas of existing habitat) amounts to a significant enhancement. Significant enhancements are areas of habitat enhancement which contribute significantly to the proposed development's BNG, relative to the biodiversity value before development. The Act requires that the maintenance of these significant enhancements must be secured with a legal agreement, for a minimum of 30 years. In the metric, it is noted that a non-significant (<0.5 biodiversity units) onsite net gain. This does not need to be secured for 30 years but could be secured by a landscaping condition to ensure it is provided and maintained for an aftercare period.

Flood and Drainage issues

In relation to flood risk and drainage, the requirements of chapter 14 of the NPPF, and Local Plan policies LP27 and LP28 must be addressed. The site is located in Flood Zone 1 which has a low probability of flooding. A culvert crosses the site from the Peat Ponds commercial site opposite, before travelling under the motorway and into Calderdale's boundary. The applicant has submitted a Flood Risk Assessment and Drainage Strategy.

The Lead Local Flood Authority (LLFA) note a 3.5l/s surface water discharge to watercourse is accepted. Full details of access points into the attenuation storage will be required. The maintenance and management plan submitted with the Flood Risk Assessment is noted. However, Kirklees Council discourage the use of crate storage due to lack of clarity over lifespan and guarantees, coupled with the difficulty of inspection. A replacement date needs to be added to the maintenance plan which is nominally set at 25 years unless a guarantee is produced from the manufacturer or independent accreditation is valid. This can be resolved by condition. The design should be adjusted to show the attenuation will not flood if an M5_60 value of 19 is used. A value of 20 will be accepted for programmes where there are limited selections available. Design re-adjustment can be resolved by condition. The use of an interceptor is noted but this appears to be treating roof water which is unnecessary and not recommended. An interceptor should be used for the parking spaces only. This can be resolved under condition. Subject to conditions, the LLFA are satisfied with the proposal.

Officers note a management company for the management and maintenance for the drainage infrastructure is required. This can typically be addressed via a Section 106 agreement, however in this case a Section 106 agreement is not otherwise required. On balance therefore, it is considered this matter can be adequately addressed by condition.

Yorkshire water note that no observations are required.

Foul Drainage

A mains drainage system is not available for the development and a package treatment system is proposed. The location of the tank is shown on the plan, however whilst the proposal indicates 184 full time staff could be employed at the site, at this speculative stage the use within each unit is not specified. The applicant was therefore asked to provide further information to demonstrate that the tank will be of adequate capacity for the highest number of persons that may use the tank and the ability to cope with potential work usage, as well as including a maintenance schedule.

Additional information was submitted, which K.C Environmental Heath have reviewed. The applicant has confirmed a package treatment plant will be installed at the site, the email document dated the 11th of October 2024, demonstrates accurate information was provided to the specialist suppliers to quote for an appropriately sized system. K.C Environmental Health accept the information. They advise approvals from the Environment Agency and Building Control may be required and that systems must be protected from certain effluents to function properly, thus limiting the type of use of the finished units or requiring additional protections to the foul drainage system.

Source Protection Zone

The enquiry site is located within a Source Protection Zone, and Policy LP34 of the Kirklees Local Plan states that proposals must ensure Source Protection Zones are protected from contamination as a result of the proposal in line with national guidance. The Environment Agency were consulted on the application; however no comments have been received.

In the previously refused application to which the Environment Agency did comment, no comments were made in respect of this matter. General contamination matters have been addressed above, and officers note no objections have been received.

Crime Prevention

In respect of crime prevention measures, West Yorkshire Police note there is limited information to review the security of the proposed site and a security plan should be provided outlining the developers risk assessment and plans to mitigate said risks. West Yorkshire Police have no objection in principle to the development, providing that their recommendations are considered and implemented as part of any planning approval. This matter can be addressed by condition.

Climate Change

A Climate Change Statement has been submitted with the application. This includes commitments regarding the use of air source heat pumps and that the cladding panels that are installed behind the Cedral Lap cement boarding

will be reclaimed panels from Kingspan as opposed to ordered new. These stated measures will assist the climate emergency and are acceptable.

Representations

Two objections have been received. The main concerns raised are detailed below with officers' responses:

- *The site for this proposal is Green Belt. There doesn't seem to have been any consideration to converting the existing pub building (which has been there for many years).*

Response: Officers have considered this matter, however as noted above, the site was marketed for around 2 years and there were only two interested parties in purchasing the site, a garage forecourt operator and the applicant. It appears that there is no interest in an alternative use, and therefore there is not a justifiable reason to support a reason for refusal for demolition of the public house.

- *I would like to strongly object to this planning application due to the proposed building's proximity to local schools, which will significantly worsen existing poor air quality in the area, posing a serious health risk to pupils at Moorlands Primary, Lindley Junior & Infants school, along with the wider community.*

Response: An Air Quality Assessment has been submitted and reviewed by K.C Environmental Health. The report concludes the proposed development will have an insignificant effect on air quality and being for commercial use there would be no relevant exposure.

- *My understanding this is "Green Belt Land" which should remain "Green Belt Land", the proposed development would significantly reduce the available green areas in the vicinity, negatively impacting the local environment, residents' wellbeing, and wild life habitat*

Response: The proposal has been assessed against Policy in the Kirklees Local Plan and the National Planning Policy Framework. Officers have concluded that the site can be considered to be Green Belt and that the proposed development is not thereby inappropriate development. Material considerations including residential amenity, air quality and ecology have been fully assessed as part of the proposal.

The comments from Local Ward Members in support of the application are noted. The request from Councillor Burke to refer the application to committee should officers be minded to refuse is noted, however following amendments, officers can now support the application.

Conclusion

The application has been assessed against relevant policies in the development plan and other material considerations. The applicant has provided evidence to satisfy the relevant sub-sections of paragraph 155 of the NPPF, that the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; that there is a demonstrable unmet need for the type of development proposed, that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework, and where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157. The principle of development is considered to be acceptable in the Green Belt.

It is considered that the development would constitute sustainable development and the applicant has demonstrated that the proposal would have acceptable impacts in respect of highway safety, amenity, air quality, drainage, ecology, contamination and trees. The application is recommended for approval, subject to conditions.

Recommendation: Conditional Full Permission

Report Date: 14/07/2025

Decision Authorisation - Delegated Powers

Application Number: 2024/62/92553/W

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 LP1, LP2, LP7, LP20, LP21, LP22, LP24, LP27, LP28, LP30, LP32, LP33, LP35, LP38, LP48, LP51, LP52, LP53 and LP59 of the Kirklees Local Plan and Chapters 2, 4, 6, 8, 9, 11, 12, 13, 14, 15 and 16 of the National Planning Policy Framework.

Development to be implemented in accordance with

3. The hereby approved development shall be undertaken in accordance with the tree protection measures contained within the submitted Arboricultural Method Statement ref. 22184-A/AJB.

Reason: To ensure tree on / adjacent to the site are protected and retained during the construction period, to comply with Policy LP33 of the Kirklees Local Plan.

4. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works 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 in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a

Verification Report in respect of those works 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.

Details to be provided prior to development commencing

5. Prior to development commencing, a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include details of:

- a) Any phasing of development and timetable of all works;
- a) Hours of works;
- b) Details of construction access arrangements;
- c) Construction vehicle sizes and routes;
- d) Numbers and times of construction vehicle movements;
- e) Locations of HGV waiting areas and details of their management;
- f) Parking for construction workers;
- g) Loading and unloading of plant and materials;
- h) Storage of plant and materials;
- i) Signage;
- j) Measures to ensure the protection of the nearby Grade 2 Listed Boundary Stone from construction traffic and/or construction activities.
- k) Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site and/or street sweeping;
- l) Measures to control and monitor the emission of dust and dirt during construction;
- m) Site waste management, including details of recycling/disposing of waste resulting from construction works;
- n) Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;
- o) Artificial lighting used in connection with all construction-related activities and security of the construction site;
- p) Site manager and resident liaison officer contact details, including information of their remit and responsibilities;
- q) Means of engagement undertaken, and means of ongoing engagement proposed, with local residents, occupants and/or their representatives; and
- r) Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period).

The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom

shall take place without the prior written consent of the Local Planning Authority.

Reason: In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, to ensure harm to biodiversity is avoided, and to accord with Policies LP21, LP24, LP30 and LP52 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity and biodiversity impacts are devised and agreed at an appropriate stage of the development process.

6. Prior to development commencing, a Construction Environmental Management Plan: Biodiversity (CEMP (Biodiversity)) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- Summary of potentially damaging activities
- Identification of "biodiversity protection zones"
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements)
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity and in accordance with LP30 of the Kirklees Local Plan and the National Planning Policy Framework. This is a pre-commencement condition to ensure adequate protection and mitigation ahead of construction works.

7. Prior to development commencing, a scheme restricting the rate of surface water discharge from the site to a maximum of 3.5 litres per second shall be submitted, to and approved in writing by, the Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 100 year storm event with an appropriate allowance for climate change. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow control device. The regime shall identify a replacement period for the attenuation tank. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented thereafter.

Reason: To ensure satisfactory drainage of the site and to accord with Policies LP27 and LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure adequate drainage of the site can be achieved.

8. Prior to development commencing, a temporary surface water drainage strategy for the construction phase (after soil and vegetation strip) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- phasing of the development and phasing of temporary drainage provision.
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.

The 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 satisfactory drainage of the site and to accord with Policies LP27 and LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure adequate drainage of the site can be achieved during construction.

9. Prior to development commencing, a strategy detailing the treatment of all surface water flows from parking areas and hardstanding through an oil interceptor, (or a full petrol oil interceptor) reedbed or alternative treatment system, shall be submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstanding shall not commence until the works comprising the approved treatment scheme have been completed. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be retained, maintained to ensure efficient working and used throughout the lifetime of the site. Roof water shall not pass through the interceptor.

Reason: To ensure satisfactory drainage of the site and to accord with Policy LP28 of the Kirklees Local Plan. This is a pre-commencement condition to ensure adequate drainage of the site can be achieved.

Details to be provided prior to specified time

10. Prior to development commencing above foundation level, notwithstanding the details shown on the approved plan 2102511 Rev A, a detailed scheme for the provision of a right turn lane from A642 Lindley Moor Road into the site with associated signing and white lining shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include construction specifications, white lining, signing, surface finishes together with an independent Safety Audit covering all aspects of the work.

Thereafter all of the approved works shall be implemented before any part of the development is first brought into use.

Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with policy LP21 of the Kirklees Local Plan.

11. Prior to development commencing above foundation level, pursuant to the information contained within the submitted Climate Change Statement, details of the proposed insulation, on-site micro-generation, or other measures to be incorporated into the development to combat climate change shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be incorporated into the development during construction and shall thereafter be retained as such.

Reason: To ensure that the proposed development contributes to the council's target of achieving 'net zero' carbon emissions by 2038 and thereby reducing the causes of climate change, and to accord with the aims of Policy LP24(d) of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

12. Prior to their use, notwithstanding the submitted plans, details of all external materials and finishes (including the provision of samples, if necessary) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the units shall be constructed of the approved materials and be retained.

Reason: In the interests of visual amenity and in accordance with Policy LP24 of the Kirklees Local Plan as well as Chapter 12 of the National Planning Policy Framework.

13. Prior to development commencing above foundation level, notwithstanding the submitted plans, details of the proposed waste storage location(s) shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include means of screening from the public realm. Thereafter, the waste storage and screening shall be implemented in accordance with the approved details, prior to the occupation of any unit.

Reason: In the interest of visual amenity and the effective management of waste, in accordance with Policy LP24 of the Kirklees Local Plan.

Details to be provided prior to occupation

14. Prior to the occupation of any unit, a Crime Mitigation strategy shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, before the respective phase is brought into use, the agreed mitigation measures shall be installed and thereafter retained.

Reason: In the interest of crime prevention and mitigation, so as to comply with Policy LP24 of the Kirklees Local Plan.

15. Prior to the occupation of any unit, details of secure cycle parking for each of the hereby approved units shall be submitted to, and approved in writing by, the Local Planning Authority. The cycle parking shall then be implemented in accordance with the approved details before each dwelling is occupied and shall thereafter be retained.

Reason: To encourage travel by means other than the private car in accordance with Policy LP21 of the Kirklees Local Plan.

16. Prior to the occupation of any unit, or within the first planting season following first occupation, landscaping shall be undertaken in accordance with the details shown on plan ref. PWP 538 002 rev. 03.

Reason: In the interest of securing good urban design, in accordance with policy LP24 of the Kirklees Local Plan.

17. Prior to the occupation of any unit, a Landscape Maintenance & Management plan (LMMP), pursuant to the Outline Landscape Masterplan & Specification drawing reference PWP 538 002, Rev 03 shall be submitted to and approved in writing by the Local Planning Authority. The LMMP shall include details of an implementation and maintenance programme for a minimum 5-year period, as well as details of how the sites' landscaping will be managed and maintained in perpetuity and who is responsible for the maintenance and management. Thereafter the development shall be undertaken in accordance with the approved details.

Notwithstanding the submitted information, all planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: In the interest of visual amenity, to ensure that there is a well laid out scheme of hard and soft landscaping, to comply with the aims and objectives of Policy LP24 the Kirklees Local Plan.

18. Prior to the occupation of any unit, a scheme outlining the mitigation within the agreed Air Quality Assessment by Air Quality Assessments Ltd (ref: J0795/1/F1) (Dated: 18th September 2023) shall be submitted to, and approved in writing by, the Local Planning Authority. This scheme must meet the minimum requirements in the current West Yorkshire Low Emission Strategy (WYLES) document. The approved facilities for charging electric vehicles and secure cycling parking must be installed before first occupation and retained for use thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

19. Prior to first occupation of any unit, the foul treatment plant and surface water attenuation system shall be implemented in accordance with:

- approved Drainage Layout reference 7270-HJCE-XX-XX-DR-C-3000 Rev P03
- Foul Drainage Specification
- BH-BL BioDisc General Arrangement

- Kingspan Technical Details

and maintained in accordance with the documents thereafter.

Reason: In the interest of the safe and efficient operation of the Strategic Road Network, and to protect the integrity of the Trunk Road drainage asset in accordance with DfT Circular 01/2022.

21. Prior to occupation of any unit:

(a) a plan showing the alignment of a close-boarded fence to be erected along the boundary of the development site with the M62 (or at least one metre from any part of the existing Motorway fence where the boundary lies within one metre of this) including details of its future management and maintenance in perpetuity, shall be submitted to and approved in writing by the Local Planning Authority and

(b) the fence approved by part (a) of this condition has been erected in accordance with the approved details. Thereafter, the fence shall be retained and only be repaired or replaced in accordance with the requirements of this condition.

Reason: For reasons of safety, liability and maintenance of the M62 motorway in accordance with paragraph 57 DfT Circular 01/2022.

22. Prior to occupation of any unit:

(a) details of the proposed external lighting, including any adjacent to the M62, shall be submitted to and approved in writing by the Local Planning Authority.

(b) The lighting submitted in part (a) of this condition has been erected in accordance with the approved details and shall remain in a downwards facing position at all times.

Reason: To mitigate any adverse impact from the development on the M62 and to satisfy the reasonable requirements of road safety.

23. Prior to occupation of any unit, any obstruction shall be set back to the rear of the proposed visibility splays as shown on approved plan number 2102511 Rev A and shall be cleared of all obstructions to visibility and tarmac surfaced to current standards in accordance with details that have previously been approved in writing by the Local Planning Authority.

Reason: To ensure adequate visibility in the interests of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

24. Prior to occupation of any unit, all areas and associated features shown on the approved plans to be used by vehicles and pedestrians shall be laid out, surfaced and drained, such that loose materials and surface water does not discharge or transfer onto the adjacent highway, and shall thereafter be retained and maintained.

Reason: To ensure the free and safe use of the highway in the interest of highway safety and to accord with Policy LP21 of the Kirklees Local Plan.

Ongoing requirements

25. The premises shall be used as a Use Classes E(g)(ii, iii), B2 and/or B8 only, and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (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 scope of this permission, in accordance with the assessment undertaken with regard to town centre, and highways impacts, to comply with Policies LP13, LP21, LP24, and LP52 of the Kirklees Local Plan.

Note: In accordance Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) **development may not be begun unless:**

- a) a biodiversity gain plan has been submitted to the planning authority;
and
- a) The planning authority has approved the plan.

The biodiversity gain plan must include:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- a) the pre-development biodiversity value of the onsite habitat;
- b) the post-development biodiversity value of the onsite habitat;
- c) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- d) any biodiversity credits purchased for the development; and
- e) any such other matters as the Secretary of State may by regulations specify.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required. You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary

permissions / permits to enable the delivery of the site access(es). This process will involve entering into a Section 38 or 278 agreement of the Highways Act 1980 or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: Specialist advice should be sought for the design and installation of a small sewage treatment system which should meet the relevant standards. 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. Any discharge from a wastewater treatment system is likely to require a consent from the Environment Agency.

NOTE: Should earthworks be subsequently identified within 2 meters of the highway boundary with the M62 the applicant is advised to contact National Highways prior to the start of works to ensure these will not result in detriment to, or create a safety issue for, our assets or road users.

NOTE All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. 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.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location Plan	2000		18/09/2024
Existing Site Plan	2001		18/09/2024
Proposed Site Plan	2002		04/02/2025
Proposed Site Layout	2102511	A	04/02/2025
Units 1 to 8 Building Plans	2014		04/02/2025
Units 1-8 Elevations	2016		04/02/2025
Units 9 to 14 Building Plans			04/02/2025
Units 9 to 14 Elevations			04/02/2025
Outline Landscape Masterplan & Specification	PWP 538 002	03	04/02/2025
External Finishes	2013	C	04/02/2025
Fencing and Gate Details	2012	C	04/02/2025
Design and Access Statement			18/09/2024
Minerals Safeguarding Statement			18/09/2024
Need Statement			18/09/2024
Planning Statement			18/09/2024
Preliminary Ecological Appraisal			18/09/2024
Phase 1 Desk Top Study Report	2021-4696		18/09/2024
Alternative Sites Assessment			18/09/2024
Transport Statement	21025		18/09/2024
Flood Risk Assessment and Drainage Strategy	7270-HJCE-ZZ-XX-RP-3000.v3		18/09/2024
Climate Change Statement			18/09/2024
Air Quality Assessment	J0795/A/F1		18/09/2024
Impact on Significance Table			29/10/2024
Drainage Layout	7270-HJCE-XX-XX-DR-C-3000	P03	18/09/2024
Foul Drainage Specification			16/10/2024
BH-BL BioDisc General Arrangement	DS0721P		16/10/2024
Kingspan Technical Details	015054		16/10/2024
Heritage Impact Response			20/11/2024

Plan Type	Reference	Version	Date Received
National Highways Response	MH/CHS/2278		20/11/2024
NPPF Letter	FRAN0001		19/12/2024
Need MXS3 Letter			14/03/2025
Biodiversity Net Gain Statement			18/09/2024
Biodiversity Metric			18/09/2024
Road Safety Audit Stage 1			04/02/2025
Road Safety Audit Stage 1 – Designers Response			04/02/2025
Arboricultural Method Statement	22184-A/AJB		04/02/2025
Arboricultural Report and Arboricultural Impact Assessment			04/02/2025

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 to address highway safety concerns, and further information was submitted to address matters of the principle of development.