

**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:	2024/62/93028/E
Site Address:	Smithies Moor Rise, Birstall, Batley, WF17 8AX
Description:	Roof alterations to existing storage unit, erection of infill extension and boundary treatment
Recommending Officer:	Elenya Jackson

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

John Holmes

AUTHORISED OFFICER

Date: 8th July 2025

Officer Report

Reference No. 2024/93028

Site Address: Smithies Moor Rise, Birstall, Batley, WF17 8AX

Proposal: Roof alterations to existing storage unit, erection of infill extension and boundary treatment

Site Description

The application relates to an industrial building on Smithies Moor Rise which is currently used as a car garage.

The wider area comprises a combination of residential and commercial properties of varying materials and architectural styles. The site is not located within a conservation area, nor are there any listed buildings or public right of ways within close proximity.

Description of Proposal

The application seeks planning permission for the erection of an infill extension, alterations to the roof of the host building to increase the height of the building and the erection of revised boundary treatments.

The infill extension would have the following dimensions:

Depth 11.5m width 6.9m height 7.9m. This would be finished with cladding to match the existing building.

The roof alterations would increase the maximum height of the structure by 2.9m.

There are revisions to the boundary treatment proposed; however, the red brick wall to the front of the site would be retained.

Relevant Planning History

The only planning history relates to redevelopment of the land for residential use which was refused permission in 2003 (application ref: 2002/94098).

Representations

The application was publicised by site notice which expired on 20th March 2025. As a result of the above publicity, no comments have been received.

Consultation Responses

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

KC Environmental Health – (Informal) No objection subject to conditions

KC Ecology – No objection subject to condition relating to lighting

Mining Remediation Authority – No objection subject to conditions.

Planning Policy Background

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is unallocated on the Kirklees local plan.

Kirklees Local Plan Policies

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

In this case, the following SPDs are applicable:

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

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local

planning authorities and is a material consideration in determining applications.

- **Chapter 2** - Achieving Sustainable Development
- **Chapter 4** - Decision-Making
- **Chapter 6** - Building a Strong, Competitive Economy
- **Chapter 11** - Making Effective Use of Land
- **Chapter 12** - Achieving Well-Designed Places
- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment

Assessment

1. Principle of Development

The site is without notion on the Kirklees Local Plan (KLP). Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

The proposal is for the erection of extensions and alterations to an existing unit.

Paragraph 11 of the National Planning Policy Framework (NPPF) advises that plans and decisions should apply a presumption in favour of sustainable development. It adds, within the same paragraph, that where the policies in the Development Plan, deemed most relevant to the consideration of the proposal in question are out-of-date, the default position is that planning permission should be granted unless:-

- a) policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed;*
- or*
- b) any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.*

Policy LP7 of the Kirklees Local Plan refers to the effective use of land and buildings and states that proposals should encourage the efficient use of

previously developed and in sustainable locations providing its not of high environmental value.

Officers consider that, the site has previously been developed, and it is enclosed by other commercial developments to the north and west which are of varying scale and design. The site is well connected and is considered to be in a sustainable location. Therefore, officers consider that the proposal would accord with Policy LP7 of the Kirklees Local Plan.

The site appears to be used currently for car sales and storage, however it appears the site has an established use for B2 / B8 and the car sales use does not benefit from planning permission and it does not appear to be the case it has been utilised for the purpose of car sales such that this is the established use of the site. Therefore in the consideration of this application it is considered appropriate to consider the proposal on the basis of the use of the site for B2 / B8 use.

In view of the above, and as this site is enclosed by other commercial properties, the proposal is considered acceptable in principle meeting the requirements of Policies LP1 and LP7 of the Local Plan and Chapters 2, 5 and 9 of the NPPF in this regard.

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

1. Impact on Visual Amenity

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

The NPPF also offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states: *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

The proposed infill extension would have a length of 11.3m with a width of 6.5m and a maximum height of approx. 7.9m

The external walls of the building would be constructed from corrugated metal panels; however, the colour of this has not been specified. It is considered that the details of materials could be secured via condition.

The design of the unit is considered to be typical for a unit of this nature use and would be acceptable in this regard.

It is considered that, although the structure would have a large scale, it would be of a simple form and would be subservient in relation to the existing buildings.

Furthermore, the structure would not appear incongruous from public vantage points given the scale of the site. On this basis, it is considered that the proposed development would not have any significant visual impact on the character and appearance of the surrounding area.

There are also revisions proposed to the boundary treatment on site. The redbrick wall which forms the site entrance would be retained; however, there would be a new fence erection on the south eastern boundary next to a footpath. It is considered that this would not be highly prominent from the public realm due to the adjoining neighbour having a hedgerow; however, it would be of substantial height. Officers consider it appropriate to condition the fence to be a black or dark green colour finish so it lessens its impact due to its height.

On the basis of the inclusion of a condition relating to the colour finish, and taking account of the fact existing containers in a prominent location would be removed it is considered the visual impact of the boundary treatment would be acceptable in this case.

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

2. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, taking into account Policy LP24 c), which sets out that proposals should promote good design by,

amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

Policy LP52 is considered to be of relevance and sets out that development must be considered in relation to potential for increases from pollution, in this case the relevant possible increases could relate to noise, light & odour emissions.

The submitted plans confirm that there is no residential property to the north or west of the application site which would be affected by the proposed works.

1 Smithies Moor Rise:

This property is to the south, there is 16.5m between the main dwelling and the side elevation of the application site. There is a line of mature planting between the properties.

Overlooking: The proposal would feature side facing windows at ground floor level. It is considered that there would be a reasonable amount of screening between the properties and no significant issues would be raised regarding overlooking.

Overshadowing/loss of light & overbearing impact: It is considered that the orientation of the proposal to the north of no.1 when coupled with the 16.5m separation distance would prevent any significant issues regarding overshadowing/loss of light/overbearing.

13 Smithies Moor Crescent:

This property adjoins the application site to the south, there is a slightly offset relationship between the two properties and 16.7m between them.

Overlooking: The proposal would feature side facing windows at ground floor level. It is considered that there would be a reasonable amount of screening between the properties and no significant issues would be raised regarding overlooking.

Overshadowing/loss of light: It is considered that the orientation of the proposal to the north of no.1 when coupled with a 16.5m separation distance would prevent any significant issues regarding overshadowing/loss of light/overbearing.

It is noted the site is in operation already, and a number of containers are upon the site in proximity to residential properties, with the associated impact

such as doors opening / closing as part of their use. This is weighed in the balance when considering the impact of the proposal.

There are side facing doors to the unit on the southern elevation. There potential this could create a disturbance to neighbours if not suitably mitigated and it is therefore considered reasonable to condition these to remain closed between the hours 18:00 and 09:00 Monday to Saturday with no opening on Sundays and bank holidays. This is consistent with the opening hours of neighbouring business' opening hours.

The proposal has been detailed as having no external lighting, but a condition is considered necessary for a lighting scheme to be submitted should any external lighting be required. On the basis of the inclusion of such a condition the impact of the proposal in this regard is considered to be acceptable.

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

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The fact the development can be operated already for B2 / B8 uses is a factor which is relevant in assessing the impact of the proposal upon highway safety. The development would see the existing building developed such that it would be used for storage, and capacity in the building would increase. The existing parking arrangements would be in place and unaffected. An area for waste storage is identified within the site.

Three vehicular access points are proposed. Two are within the northern elevation of the building, and would be accessed from a part of the site which currently accommodates a number of containers. Whilst manoeuvres to access this part of the site would need to be undertaken, these would be done within the site where space for turning manoeuvres can be carried out.

The proposed extensions and alterations would not affect the existing parking arrangements on the wider part of the site. Taking account of the nature of the proposal and the extent the existing use of the site can be undertaken in any event for B2 / B8 use it is considered that the proposal would not significantly affect access and highway safety in this case.

Therefore, it is considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

4. Other Matters

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

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

Land Quality / Stability

Policy LP53 of the Kirklees Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

This site is identified as being potentially contaminated due to its location within High Risk Col area on the councils GIS system and its location within 250m of a Historic Landfill site. Therefore, KC Environmental Health confirm that contaminated land conditions would be necessary.

The coal authority have also been consulted and confirm that intrusive investigations would be required prior to commencement of works on site.

It is considered that, subject to conditions the proposal would accord with LP53 of the Kirklees Local Plan.

Biodiversity

The site is located in an area identified as being within a 'bat alert' layer on the Council's GIS mapping system, in this instance, a bat survey has been provided to support the application. The details have been reviewed by KC Ecology who have confirmed no further details are required subject to the condition requiring a lighting scheme to be submitted to the LPA for written approval.

The agent has confirmed that no lighting is proposed as part of the scheme and therefore a condition shall be added which states no artificial lighting is to be installed without prior consent of the local planning authority. A footnote will be added to the decision notice to provide the applicant with advice should bats or bat roosts be found during construction. This would accord with the aims of Policy LP30 of the Kirklees Local Plan, the Council's Biodiversity Net Gain Technical Advice Note, and Chapter 15 of the National Planning Policy Framework.

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

5. Representations

No comments were received during the course of the application.

6. Negotiations

No further details were required.

7. Conclusion

This application has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered acceptable.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute

the Government's view of what sustainable development means in practice. This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: - Approve

Decision Authorisation - Delegated Powers

Application Number: 2024/93028

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

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

3. Prior to commencement of the alterations to the superstructure of the building hereby approved details of all materials and their colour finish to be used in the construction of the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme which shall thereafter be retained for the lifetime of the development.

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

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

Reason: To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan

and policies within section 15 of the National Planning Policy Framework. This is a pre commencement condition as intrusive site investigation works may be necessary before work can commencement on the construction of the development hereby approved.

5. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 4 groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and policies within section 15 of the National Planning Policy Framework. This is a pre commencement condition as intrusive site investigation works may be necessary before work can commencement on the construction of the development hereby approved.

6. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 5 further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and policies within section 15 of the National Planning Policy Framework. This is a pre commencement condition as intrusive site investigation works may be necessary before work can commencement on the construction of the development hereby approved.

7. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 6. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and policies within section 15 of the National Planning Policy Framework.

8. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and policies within section 15 of the National Planning Policy Framework.

9. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework

10. No external lighting shall be installed unless and until a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), has been submitted to, and approved in writing by the Local Planning Authority. The lighting scheme will demonstrate how all artificial lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented in accordance with the specifications and locations set out within the Lighting Strategy.

Reason: In the interests of biodiversity and residential amenity in accordance with Policies LP24 & LP30 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

11. The boundary fencing shall be located to the part of the site boundary as indicated in orange upon the submitted drawing titled 'proposed site plan'

upon drawing PL02 and shall be of a black or dark green colour finish and retained thereafter.

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

12. The side facing vehicular access doors upon the drawing titled 'Proposed Other Side Elevation' upon drawing PL04 shall only be operational between 09:00 and 18:00 Monday to Saturday and shall remain shut at all other times including on Sundays and bank holidays.

Reason: In the interests of the amenity of neighbouring occupiers to accord with policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework

13. Other than the storage of wastes in the area annotated 'bin store' on the submitted drawing titled 'Existing and Proposed site plans' at no time shall there be any external storage within the area outlined in red upon drawing PL02.

Reason: In the interests of Highway safety and visual amenity to accord with policy LP21, LP22 and LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

14. The floorspace of the building and the land outlined in red upon drawing PL02 shall not be used for any purpose other than those falling within use classes B2 and/or B8 of Schedule 1 and/or use class E(g)(iii) of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

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

15. At no time shall any use falling within use class B2 of Schedule 1 and/or use class E(g)(iii) of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) be undertaken externally and all activities falling within use class B2 of Schedule 1 and/or use class E(g)(iii) of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) shall be undertaken within the building hereby approved.

Reason: In the interests of Highway safety, visual amenity and residential amenity of neighbouring occupiers to accord with policies LP21, LP22 and LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

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

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

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulations of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

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

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan	PL01	P01	30/01/2025
Existing and Proposed Site Plans	PL02	P01	30/01/2025
Proposed Plans	PL04	P01	30/01/2025
Existing Plans	PL03	P02	30/01/2025
Coal Mining Risk Assessment	23006-MOS-SI-XX-DR-A-0005	P02	30/01/2025
Bat Survey	23006-MOS-SI-XX-DR-A-0006	P01	31/01/2025

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. Additional information was provided which was considered acceptable with regard to residential amenity. Furthermore, the agent has also confirmed their agreement to the pre-commencement conditions.

Report Dated: 30/05/2025

