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:	2024/62/93444/E
Site Address:	Cowap Mobile Welding Services, 422, Lees Hall Road, Thornhill Lees, Dewsbury, WF12 9EQ
Description:	Erection of commercial unit for Use Class B2 with associated office space and parking (inc. visitors, cycle parking and service vehicles) and enclosure of existing concrete yard to form new workshop Use Class B2
Recommending Officer:	Farzana Tabasum

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: 18/03/2026

Application: 2024/93444

Site: Lafarge Readymix, Lees Hall Road, Thornhill Lees, Dewsbury, WF12 9EQ

Proposal: Erection of commercial unit for Use Class B2 with associated office space and parking (including visitors, cycle parking and service vehicles) and enclosure of existing concrete yard to form new workshop (Use Class B2)

Site Description

The application site extends to approximately 0.60 hectares and is located on the northern side of Lees Hall Road within the Thornhill Lees area of Dewsbury. The site lies approximately 2.2km south-west of Dewsbury town centre and is situated within a long-established industrial area characterised by a mix of general industrial, storage and commercial uses.

The site was formerly operated as a concrete batching plant by Tarmac/Lafarge Readymix, comprising extensive areas of hardstanding, silos and associated plant infrastructure. The previous use fell within Use Class B2 (General Industrial). The site retains two vehicular access points from Lees Hall Road and appears to be operating an internal loop road arrangement.

The surrounding context is predominantly industrial and commercial in character. Industrial units are located to the north, east and west. Residential properties are present to the south along Lees Hall Road and Ravensthorpe Road and one to the north west, approximately 20m from the application site boundary. The site frontage is served by part adopted highway with footways on both sides and street lighting.

Lees Hall Road connects eastwards to Forge Lane at a mini roundabout and to Ravensthorpe Road via a priority junction. The wider area benefits from established public transport connectivity, including bus stops within walking distance of the site.

The land is previously developed (brownfield) land, as defined in Annex 2 of the National Planning Policy Framework (NPPF), comprising permanent structures and extensive areas of fixed surface infrastructure.

Description of the Proposal

The application seeks full planning permission for:

- The erection of a new commercial unit (Use Class B2) with ancillary office accommodation;
- Associated car parking, cycle parking and HGV parking provision;
- The enclosure of part of the existing concrete yard to form a new workshop building (Use Class B2);
- Associated drainage and site works.

New Commercial Unit

The proposed new building would provide approximately:

- 434m² gross internal area at ground floor level
- 55m² gross internal area at first floor level
- Total GIA approximately 489m²

The building is of modern industrial design incorporating:

- Yorkshire stone cavity walling up to approximately 2.1m above finished floor level;
- Kingspan QuadCore KS1000RW LEC Wall Panel colour juniper green above the stone walling;
- Translucent roof and wall panels to provide natural light;
- Aluminium PPC windows and doors (black finish) on each elevation, bar north-east facing;
- Insulated roller shutter doors on the south west and south east elevations.

Workshop Enclosure

Part of the existing concrete yard would be enclosed to form an additional workshop space (Use Class B2). The resultant structure would also have a modern industrial design. It would feature:

- Concrete wall panels to 1.2m.
- Kingspan QuadCore KS1000RW LEC Wall Panel colour juniper green above the concrete walling;
- Most elevations would be blank, with the only north-east elevation hosting a door and shutter door.

Access and Parking

The development retains the two existing vehicular access points from Lees Hall Road, operating a one-way system.

Parking provision includes

- 6 existing spaces retained;
- 10 new car parking spaces (including 1 accessible space);
- 2 HGV parking spaces;
- 6 secure covered cycle parking spaces.

Servicing and manoeuvring are proposed to continue internally within the site, as per the current situation.

Drainage

A drainage strategy has been submitted, which addresses the following

- the current surface water drainage regime and assesses any potential increase in surface water runoff as a result of the proposed development.
- Sustainable Drainage Systems (SUDS) as an option for reducing surface water flood risk and devise an outline Drainage layout.
- Devises an appropriate surface water and SuDS drainage strategy to deal with any potential increase in surface water runoff, and
- Discusses an appropriate foul water drainage strategy.

Relevant Planning History

Application site

The site was historically used as a concrete batching plant (Use Class B2).

89/01611 - Replacement concrete batching plant and ancillary buildings – granted 09/06/1989

89/06579 - Removal of Cond 3 relating to restriction of hours of movement of H.G.Vs on previous approval for replacement concrete batching plant & anc. Buildings – granted 09/02/1990

92/00367 - Variation of condition 3 relating to restricted hours of movement of hgv's on previous permission (89/62/01611/a2) for replacement concrete batching plant and ancillary buildings – refused 30/03/1992

2003/92384 - Erection of 15m high silo – granted 07/08/2003

Surrounding area

None relevant to the proposal.

History of Negotiations

A number of amendments were sought to address consultee concerns, including those form Yorkshire Water, Trees and LLFA. The submissions made during the life of the application did not necessitate a further round of publicity.

Representations

Final publicity date expired: 31/07/2025.

No public representations were received.

The site is within Dewsbury South ward. Local ward members were notified of the proposal. No comments were received.

Consultation Responses

The following is a summary of the consultation responses received, with further details provided within the assessment where necessary.

K.C Environmental Health: Support subject to conditions.

K.C Ecology: A pre-commencement condition requiring approval of a Biodiversity Gain is necessary.

K.C Highways Development Management (DM): No objections subject to conditions.

K.C Trees: No objections, subject to works being carried out in accordance with submitted Arboricultural Impact Assessment and Method Statement.

K.C Lead Local Flood Authority (LLFA): Support subject to condition.

Yorkshire Water: Support subject to condition.

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 (KLP)

The statutory Development Plan comprises the Kirklees Local Plan (adopted 2019).
The site is identified within the Kirklees Local Plan as a Mineral Infrastructure Site (Ref: MIS3) under Policy LP71. Allocation MIS3 identifies the site's existing use as 'Concrete batching plant'.

The following policies are directly relevant:

- LP1 – Presumption in Favour of Sustainable Development
- LP7 – Efficient and Effective Use of Land
- LP20 - Sustainable travel
- LP21 – Highways and Access
- LP22 – Parking
- LP24 - Design
- LP27 – Flood risk
- LP28 – Drainage

- LP30 – Biodiversity and Geodiversity
- LP32 – Landscape
- LP33 – Trees
- LP40 - Alternative development on protected minerals infrastructure sites
- LP47 – Healthy, Active and Safe Lifestyles
- LP51 – Protection and improvement of environmental quality
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated and unstable land
- LP71 – Allocated Mineral Infrastructure Sites (MIS3)

Other relevant local guidance and documents are:

- Highway Design Guide SPD (2019)
- 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)
- Sewers for Adoption (as referenced by Yorkshire Water)

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) 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 6 – Building a Strong, Competitive Economy
- Chapter 9 – Promoting Sustainable Transport
- Chapter 11 – Making Effective Use of Land
- Chapter 12 – Achieving Well Designed Places
- Chapter 15 – Conserving and Enhancing the Natural Environment

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

Climate Change:

The council approved Climate Emergency measures at its meeting of full Council on 16/01/2019, and the West Yorkshire Combined Authority has pledged that the Leeds City Region would reach net zero carbon emissions by 2038. A draft Carbon Emission Reduction Pathways Technical Report (July

2020, Element Energy), setting out how carbon reductions might be achieved, has been published by the West Yorkshire Combined Authority.

On 12/11/2019 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 predates 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 would use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The following matters are considered in the assessment below:

- Permitted Development Position
- Principle of development
- Design, Scale and Visual Impact
- Landscape/Trees
- Ecology and Biodiversity Net Gain
- Local amenity issues (noise and dust)
- Drainage/Surface water management
- Highway issues
- Representations
- Other matters ((Impact on adjacent housing allocation & Urban Green Space , AQIA, contaminated land and climate change)
- Conclusion

Permitted Development Position

During the course of the application, the applicant sought confirmation from the Local Planning Authority as to whether certain works previously undertaken at the site benefit from permitted development rights under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

In email correspondence, the Local Planning Authority advised that it is the responsibility of the applicant to satisfy themselves as to whether development benefits from permitted development rights. The applicant was further advised that, should the works not fall within permitted development rights, they could be incorporated within the current planning application, particularly as amended plans were being prepared in response to consultee comments.

The applicant was also advised that, should formal written confirmation of lawfulness be required, a separate application for a Certificate of Lawful Existing Development would need to be submitted.

Where submitted drawings or supporting documents illustrate development stated to have been carried out under permitted development rights, such works do not form part of the current planning application unless expressly applied for. Those works have not been assessed as part of this determination and no conclusions are reached in respect of their lawfulness.

Accordingly, this assessment relates solely to the development as described in the application. This decision does not confirm the planning status or lawfulness of any other works undertaken at the site, for which permission has not been sought as part of this application.

Principle of Development

The site is identified within the Kirklees Local Plan as a Mineral Infrastructure Site (MIS3) under Policy LP71. Policy LP40 (Mineral Safeguarding and Mineral Infrastructure) seeks to safeguard such sites for minerals-related infrastructure but allows alternative development where specified criteria are met. The policy reads as follows:

Development on or within 100m of protected minerals infrastructure sites will be acceptable if it can be demonstrated:

a. *that use of a mineral infrastructure site is no longer economically viable, or there is already adequate provision meeting the need elsewhere; or*
a. *the new development will result in the provision of alternative facilities of equal or better quality; or*
b. *there is an overriding need for the development; or*
c. *the development will be of a temporary nature that would not preclude a site being brought back into use for mineral infrastructure purposes; or*
d. *the development would involve the extension of existing buildings or the erection of ancillary buildings within their curtilages.*

Policy LP1 sets out the presumption in favour of sustainable development, supporting proposals that accord with the Development Plan and deliver economic, social and environmental benefits.

Policy LP7 supports the efficient and effective use of land and buildings, including the re-use of previously developed land in sustainable locations and the continued use and enhancement of employment sites.

The National Planning Policy Framework (NPPF) is a material consideration. Paragraph 11 confirms that proposals in accordance with an up-to-date development plan should be approved without delay. Paragraph 85 requires

significant weight to be placed on supporting economic growth and productivity. Paragraphs 125 and 126 support the effective use of previously developed land, particularly where this would support development needs and economic activity.

The application site comprises a previously developed industrial site formerly occupied by a concrete batching plant and is currently in an established industrial use. The lawful use of the site falls within Use Class B2 (General Industrial). The proposal seeks to enhance and expand this established employment use through the erection of a new industrial building and enclosure of part of the existing yard to form additional workshop floorspace. The development therefore retains and reinforces the site's industrial function. While direct evidence has not been provided, the proposed works can be presumed to improve the function of the site and would support the growth and operation of the business(es) (or future occupiers).

Whilst the site is identified as a Mineral Infrastructure Site under Policy LP71, Policy LP40 provides a mechanism for alternative forms of development where certain criteria are satisfied. In this regard, the proposal represents an enhancement and expansion of an existing employment use within the established industrial curtilage and does not introduce a non-compatible land use. The continued use of the site for industrial and employment purposes is consistent with the overarching objectives of safeguarding employment land and supporting economic growth.

The proposal is considered to meet the relevant criteria of Policy LP40 in that:

- The development represents an enhancement and expansion of an existing employment use within the established industrial site and would improve the quality and functionality of the premises, thereby supporting the long-term viability of employment activity on the site;
- The proposal would support local employment and economic activity through the continued operation and growth of an existing business operating within the construction and rail infrastructure sector;
- The development comprises the extension and rationalisation of built form within the existing site and the more efficient use of previously developed land.

The proposal would not result in the loss of a safeguarded minerals infrastructure facility that remains operational or required for future minerals supply. Instead, it represents the continued use and improvement of an existing industrial site in a sustainable location. Accordingly, the proposal is considered to comply with LP40(b).

The site is located within an established industrial area with good access to the local highway network and public transport. The re-use and enhancement of this previously developed land align with the objectives of Policy LP7 and

the NPPF in making effective use of land and supporting sustainable economic growth.

The proposal would support an existing business that provides specialist services within the construction and rail infrastructure sectors and would facilitate continued local employment and investment. In accordance with paragraph 85 of the NPPF, significant weight is afforded to the economic benefits arising from the proposal.

No in-principle objections have been raised by statutory consultees in respect of the continued industrial use of the site.

The proposed development represents the continued and enhanced use of an established brownfield employment site within a sustainable industrial location. The proposal accords with Policies LP1, LP7, LP40 and LP71 of the Kirklees Local Plan and with the economic and brownfield land objectives of the NPPF.

Whilst the principle of development is considered acceptable, there remain a number of material planning considerations that require detailed assessment. These are assessed below.

Design, Scale and Visual Impact

Policy LP24 of the Kirklees Local Plan requires development to achieve high quality design that responds positively to local character, topography and context. Development should be visually appropriate, proportionate in scale and massing, and incorporate landscaping where necessary to mitigate visual impact.

Policy LP7 supports the improvement and effective use of employment land, provided proposals are appropriately designed. Policies LP30 and LP32 (where relevant) require development to respect landscape features and incorporate green infrastructure where appropriate.

The NPPF, Chapter 12 requires development to be visually attractive, sympathetic to local character and landscape setting, and to integrate effectively with its surroundings.

The application site forms part of an established industrial area and occupies a previously developed industrial plateau historically associated with concrete batching and industrial operations. Topographically, the site sits on land that is elevated relative to adjoining land to the north, east and west. The boundary to the north-west lies approximately 20 metres from the nearest sensitive residential receptor, which is located at a lower ground level than the application site.

This change in levels is an important factor. Whilst the site is elevated and therefore potentially more visible from lower ground levels, it is also within an

established industrial context characterised by industrial structures, yard areas and operational plant.

The proposal comprises erection of a new industrial building incorporating workshop and ancillary office accommodation together with enclosure of part of the existing yard.

In terms of scale and massing:

- The building footprint remains contained within the established industrial curtilage;
- The height and form are consistent with typical B2 industrial premises;
- The development does not extend beyond the site boundaries or introduce disproportionate vertical massing when viewed within the wider industrial setting.

The scale is therefore considered reasonable, and would be proportionate to the established character of the area and reflective of lawful historic industrial activity previously undertaken on the site.

Turning to the visual impact and relationship with the surrounding area although the elevated position of the site means that the structures may be visible from neighbouring sites, several factors limit visual harm:

1. The site forms part of an existing industrial area. The proposed building does not introduce a new land use or visually discordant form but instead reflects the prevailing built character.
1. The development is contained within an established operational site and does not encroach into open countryside or undeveloped land.
2. Boundary vegetation and existing landscaping provide partial views, particularly from lower ground levels to the north-west and south
3. The scheme includes additional tree planting and landscaping which will, over time, soften views and assist in further screening the built form from the surrounding area.
4. By enclosing part of the existing yard activity within a building, the proposal may reduce visual clutter associated with open storage and external working areas, reducing noise etc.

Given these factors, the proposal would not result in unacceptable visual intrusion nor harm the existing visual amenity of the area, when assessed within the established industrial context.

In terms of materials and appearance, the proposed external materials are typical of modern industrial development and are appropriate within the established employment setting. Given the utilitarian character of the surrounding industrial buildings, the proposed material palette would not appear incongruous or visually discordant. This together with the siting of the building/extensions, will largely be screened from the surroundings by the

existing landscaping on the periphery of the site. Therefore, in this instance it is not considered necessary to view a sample of external facing materials.

Having regard to:

- The established industrial character of the area;
- The previously developed nature of the site;
- The containment of the development within the existing curtilage;
- Existing and proposed landscaping mitigation; and
- The proportionate scale and form of the building;

The proposal is considered to accord with Policy LP24, Policy LP7, and the design objectives of the NPPF. The development would not result in unacceptable harm to visual amenity or local character.

Landscape/Trees

Policy LP33 of the Kirklees Local Plan seeks to protect trees, woodland and hedgerows and resist unnecessary loss. Where removal is justified, appropriate mitigation and replacement planting is required. Development should safeguard retained trees through suitable protection measures during construction.

Policy LP30 is relevant insofar as landscape structure contributes to green infrastructure and environmental quality.

Paragraph 180 of the NPPF requires planning decisions to contribute to and enhance the natural environment, including protecting valued landscapes and minimising impacts on biodiversity and green infrastructure.

There are no Tree Preservation Orders affecting the site and it does not lie within a Conservation Area. The application site comprises predominantly hardstanding industrial yard associated with long-established employment use.

Landscape features are primarily concentrated along the site boundaries, including:

- Mature and semi-mature trees;
- Mixed boundary vegetation;
- Grass verge areas;
- Existing embankment and level transitions along the north-west boundary.

These features provide partial visual screening of the elevated industrial platform from adjoining land, particularly toward the north-west where residential properties and to the south, which are situated at a lower level.

The north-west boundary planting performs an important visual function given the difference in levels between the adjoining sites.

The majority of trees within and adjacent to the site are proposed to be retained. Limited removal of lower category (Category C) trees is identified in order to facilitate operational layout and HGV parking provision.

The key arboricultural concern relates not to extensive tree loss but to:

- Potential excavation works within root protection areas;
- Ground level alterations adjacent to retained boundary trees;
- Risk of destabilisation or root damage.

The Council's Arboricultural Officer has reviewed the submitted arboricultural information and raised no objection in principle to the development, subject to conditions. The Arboricultural officer has identified (email dated 10/03/2026) that works affecting the north-west boundary, in particular, must be carefully managed to avoid harm to retained trees. Accordingly, a condition requiring works to be carried out in accordance with the submitted Arboricultural Impact Assessment, which includes in section 6 an Arboricultural Method Statement will be necessary.

Furthermore, the additional planting will reinforce boundary screening, soften views of built form when it is seen from lower ground and improve the overall visual quality of the site perimeter.

Given the industrial context, the proposal does not give rise to unacceptable landscape harm. However, a detailed landscaping condition is recommended to imposed, so as to secure:

- Planting species, size and density;
- Boundary reinforcement planting along the north-west edge;
- Implementation within the first planting season following completion;
- Replacement of failures for a minimum of five years.

Given the proximity of residential properties and the level differential, it is important that boundary planting is implemented promptly to maximise screening benefits.

Subject to conditions securing tree protection and landscaping implementation, the development accords with Policies, LP30, LP33 and LP24 of the Kirklees Local Plan and the environmental objectives of the NPPF.

Ecology and Biodiversity Net Gain

Ecology impacts

Policy LP30 (Biodiversity and Geodiversity) of the Kirklees Local Plan seeks to ensure that development protects biodiversity and avoids unacceptable impacts on ecological features and protected species.

A Preliminary Ecological Appraisal (PEA) has been submitted in support of the application. The PEA confirms that the site is predominantly previously developed land comprising hardstanding associated with existing industrial use, with smaller areas of vegetation including modified grassland, ruderal vegetation, trees and a hedgerow. These habitats are common within the surrounding area and overall the site is considered to be of relatively low ecological value.

The appraisal confirms that no statutory designated sites are located within 1 km of the site and concludes that the development will not result in impacts on nearby designated sites. The buildings on site were assessed as having no bat roosting potential and no evidence of protected species was identified during the survey. Boundary vegetation may provide limited habitat for species such as nesting birds, bats, hedgehogs and common amphibians.

The PEA recommends precautionary mitigation measures including retention of vegetation where possible, protection of retained trees during construction and avoiding vegetation clearance during the bird nesting season unless checked by an ecologist. This is recommended to be addressed via condition requiring the works to be carried out in accordance with the submitted PEA. The development is not considered likely to result in unacceptable ecological impacts and therefore accords with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework.

Biodiversity net gain

The Environment Act 2021 introduce a mandatory requirement for most major development to deliver a minimum 10% Biodiversity Net Gain (BNG), calculated using the Statutory Biodiversity Metric.

The statutory framework requires that:

- Development must achieve at least a 10% increase in biodiversity value compared with the pre-development baseline.
- A Biodiversity Gain Plan must be approved by the Local Planning Authority before development commences.
- Significant biodiversity gains must be secured for a minimum period of 30 years.

Policy LP30 of the Kirklees Local Plan requires development to conserve and enhance biodiversity and secure measurable improvements where possible.

Policy LP32 supports the protection and enhancement of green infrastructure.

The application site comprises predominantly hardstanding industrial yard and built form with limited areas of low ecological value habitat along the site boundaries. The principal ecological value lies in:

- Boundary trees and vegetation;
- Areas of grassland;
- Limited edge habitat.

An updated Biodiversity Metric calculation has been submitted and reviewed by the Council's Ecology Officer. This demonstrates the following anticipated post-development situation:

- 0.31 habitat units (10.77% net gain)
- 0.05 hedgerow units (13.50% net gain)

The Ecology Officer confirms that:

- The baseline habitat classification is accepted;
- The metric has been completed using the statutory methodology;
- The proposed landscaping and habitat enhancement measures deliver a measurable net gain exceeding the statutory 10% requirement;
- The gain can be achieved on-site without the need for off-site credits or a legal agreement, subject to appropriate planning controls.

The proposal would therefore meet and exceed the mandatory 10% BNG requirement.

This is welcomed; however, the standard national condition is to be imposed (by default) to secure the provision of a detailed strategy, and its implementation thereafter. A note of the condition is recommended to be included on the decision notice.

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.

Given the limited habitat value on the site and the nature of the proposal, the proposal is not considered to include significant enhancements.

Subject to approval of a Biodiversity Gain Plan prior to commencement, the development would accord with, The Environment Act 2021, Policies LP30 and LP32 of the Kirklees Local Plan; and objectives of the NPPF.

Residential amenity issues (including noise and dust)

Policy LP52 of the Kirklees Local Plan requires development to safeguard the amenity of existing and future occupants. Development should not result in unacceptable impacts arising from noise, vibration, odour, dust, light pollution or general disturbance.

Policy LP24 is also relevant insofar as layout and design should mitigate potential adverse impacts on neighbouring uses.

Paragraph 135(f) of the NPPF requires planning decisions to ensure that development creates places with a high standard of amenity for existing and future users as well as to mitigate and reduce potential adverse impacts from noise and other forms of pollution.

The application site is located within an established industrial area. Notwithstanding that context, there are residential properties beyond the site boundaries. The nearest noise sensitive receptor (NSR), that is likely to be impact, is located to the north-west of the application site (no. 438). The boundary of the application site lies approximately 20 metres from this residential property. Importantly, that dwelling is situated at a considerably lower ground level, with the application site occupying an elevated industrial platform.

Through the course of the application, the proposed workshop building has been repositioned further away from this boundary compared to the initial scheme. In addition, there is a notable difference in ground levels, with the application site situated at a higher level relative to the neighbouring residential property. Whilst this elevational relationship has been carefully considered, it is also evident that the boundary is characterised by established and substantial landscaping, including mature trees and vegetation, which provide effective visual screening between the sites.

Taking these factors together, with the separation distance, the amended siting of the building, the presence of boundary landscaping and the relationship in levels, it is considered that the proposed development would not give rise to unacceptable impacts in terms of outlook, overbearing effect or loss of amenity to the occupiers of this neighbouring residential property

With regards to the proposals more central to the site, in assessing potential overbearing and dominance impact, the following factors are material:

- The retaining wall and level differential already exist, and the proposal does not increase the height of the retaining structure nor extend the elevated landform.
- The proposed structures would be set within the yard and not positioned directly on the boundary edge.
- Existing vegetation provides partial screening and will be supplemented by additional planting.

Although the elevated site position allows visibility from the adjacent lower sites, the proposal would not materially result in an unacceptable overbearing or dominant impact on any of the surrounding development.

Accordingly, the proposal is considered to accord with Policy LP24 of the Kirklees Local Plan and the amenity objectives of the National Planning Policy Framework.

Turning to the noise and dust concerns, yard based operations have the potential to generate noise and activity in open air. The enclosure of working areas within a purpose-built workshop would provide containment of noise, reduced potential for dust dispersion and improved management of operational processes. Other external activity would remain limited to vehicle movements, loading and unloading and storage and manoeuvring within the yard.

The proposals would result in a greater proportion of existing external operational activity being undertaken within enclosed workshop accommodation, rather than externally within the yard.

The operational activity is therefore considered consistent with the established B2 industrial use and does not introduce a materially more intensive or fundamentally different activity as such raise no noise or dust concerns.

Environmental Health advise surveys to support the submitted BS4142 Noise Impact Assessment were conducted during day time hours. On this basis, Environmental Health recommend a condition restricting the hours of use to daytime periods be imposed.

However, the application site forms part of an established industrial operation which currently operates on a 24-hour basis, seven days per week. The proposed development does not introduce a new use, but facilitates the continuation and improvement of the existing operation. In this context, the imposition of a condition restricting hours of operation would represent an unreasonable limitation on the established lawful use of the site.

Notwithstanding this, it is acknowledged that the submitted noise assessment does not assess night-time operations, considering only the hours of 0700-2300, despite seeking 24hour use. In order to address this evidential gap, and to respond to Environmental Health concerns, it is considered appropriate to impose a condition requiring the submission of a further Noise Impact Assessment, prior to the commencement of the superstructure of the proposed workshop/office building to the north.

This assessment shall consider noise arising from operations across the full 24-hour period and identify any necessary mitigation measures, including measures relating to the design, construction and sound insulation of the proposed building, to ensure that operational noise of the new building proposed is appropriately contained.

This approach ensures that the development can proceed without placing unreasonable restrictions on the existing lawful use, whilst securing appropriate safeguards to protect the amenity of nearby and future sensitive receptors, by virtue of the change sought via the application.

Taking these matters into account, and subject to the above condition, the development is not considered likely to result in unacceptable harm to residential amenity and therefore accords with Policies LP24 and LP51 of the Kirklees Local Plan and the National Planning Policy Framework.

Drainage/Surface water management

The National Planning Policy Framework require development to avoid increasing flood risk elsewhere, to incorporate sustainable drainage systems and to ensure that drainage infrastructure is appropriately designed and maintained for the lifetime of the development.

Policy LP27 (Flood Risk) of the Kirklees Local Plan requires development to be safe from flooding and not increase flood risk on or off site. Policy LP28 (Drainage) requires development to incorporate appropriate surface water management and to safeguard existing water infrastructure, including statutory undertaker assets.

The site lies within Flood Zone 1. The development remains industrial in nature and does not introduce highly vulnerable uses. The location is therefore acceptable in principle in flood risk terms, subject to satisfactory drainage arrangements and safeguarding of sewer infrastructure.

A 525mm diameter public surface water sewer crosses the site and a further sewer alignment runs along the eastern boundary corridor. Yorkshire Water identified the crossing sewer as a critical asset requiring protection.

The originally submitted layout encroached within the required protection corridor of the crossing sewer and therefore conflicted with statutory infrastructure safeguarding requirements. Per Yorkshire Water's advice, A 4-metre stand-off either side of the sewer centre-line (8 metre protected strip) is required to ensure structural integrity, maintenance access and future operational resilience.

The amended Proposed Site Plan (Rev F) clearly identifies both sewer alignments and demonstrates compliance with the required 4 metre stand-off. The proposed building footprint has been repositioned entirely outside the protected corridor. No structural loading, deep excavation or raising/lowering of ground levels is proposed within the protection zone. Access to inspection chambers and future maintenance routes is retained.

By relocating the building outside the protection corridor, the development no longer imposes structural load over the sewer, does not restrict statutory undertaker access and does not compromise the operational integrity of the asset. Both sewer alignments shown on plan are retained and maintained.

On that basis, the development now safeguards water infrastructure in accordance with Policy LP28.

Surface Water Drainage

The Lead Local Flood Authority (LLFA) initially objected due to insufficient drainage information and concerns regarding modelling assumptions, attenuation design and long-term maintenance arrangements. Infiltration was confirmed to be unsuitable due to severe ground constraints.

Revised drainage information has since been submitted. The LLFA has confirmed that a discharge rate of 5 litres per second from the redeveloped area to the public surface water sewer in Lees Hall Road is acceptable and does not challenge this rate.

The drainage strategy provides for attenuation of flows generated by storm events prior to discharge, with on-site storage accommodating up to the critical 1 in 100-year event. An indicative contributing hardstanding area diagram has been submitted to demonstrate surfaces draining to the attenuation system.

The LLFA has advised that final hydraulic modelling should use an ‘r’ value of 3.5 for the Dewsbury area and that detailed attenuation design, structural adequacy for HGV loading, bespoke silt prevention measures and a long-term maintenance regime (including 25-year replacement of crate storage unless independently certified) must be secured.

The site is already substantially hard surfaced as an operational industrial yard. The proposal largely formalises and encloses existing hardstanding rather than introducing extensive new impermeable area. Surface water discharge would be restricted to 5l/s and attenuated prior to entering the public sewer network.

The LLFA confirms these matters can be secured through appropriately worded pre-commencement conditions. The requested conditions are:

- Final hydraulic modelling using r = 3.5;
- Detailed attenuation design;
- Structural assessment for HGV loading;
- Bespoke maintenance and management regime;
- 25-year replacement of crate storage unless independently certified;

Officers consider these conditions reasonable and necessary and, subject to their imposition, the proposal would provide an adequate and sustainable surface water solution.

Turning to foul sewage, this would connect to the mains sewer network. Yorkshire Water has not raised an in-principle objection to foul discharge subject to standard connection procedures. The increase in foul flow

associated with 12 employees is modest in infrastructure term and proportionate to the scale of development. The development would therefore provide satisfactory foul drainage arrangements.

There is no evidence that the development would increase flood risk on or off site. Subject to the detailed drainage conditions outlined above, the development will be safe for its lifetime and complies with Policy LP27 and the NPPF.

Subject to recommended conditions securing final hydraulic design, structural assessment and long-term maintenance, the proposal complies with Policies LP20, LP27 and LP28 of the Kirklees Local Plan and the relevant provisions of the NPPF.

LLFA advice is that: "*We note the drainage plan carries a caveat that design is likely to change and that the proposal is indicative. The drainage plan should not form part of a list of approved documents*". This matter will be addressed by condition.

Highways, Access and Parking

Policy LP21 of the Kirklees Local Plan requires development to provide safe and suitable access for all users and not result in unacceptable impacts on highway safety or capacity. Development should ensure appropriate servicing and manoeuvring arrangements within the site.

Policy LP22 requires development to provide appropriate parking provision having regard to the scale and nature of the use, accessibility of the site and local context.

Paragraph 115 of the NPPF requires development to provide safe and suitable access to the site for all users. Paragraph 116 confirms that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety or where the residual cumulative impacts on the road network would be severe.

The site benefits from two existing vehicular access points onto Lees Hall Road, operating as a one-way system with western access used for ingress and eastern access used for egress. These access arrangements are established and form part of the historic industrial operation of the site.

The site was formerly occupied by a concrete batching plant, a use which generated regular HGV movements associated with aggregate delivery and concrete dispatch. The current proposal retains an industrial B2 use but does not reintroduce a high-frequency batching operation. The scale and nature of the proposed use is therefore materially less intensive in terms of heavy goods vehicle movements when compared with the former lawful use of the site.

A Transport Statement has been submitted and reviewed by the Council's Highways DM team. The assessment concludes that the development would not result in severe residual cumulative impacts on the local highway network. Highways officers have raised no objection to the proposal.

Parking provision comprises 6 existing spaces to be retained and 10 new car parking spaces (including one accessible space), together with 2 HGV parking spaces and covered cycle storage. The parking is contained entirely within the site boundary and internal manoeuvring space is provided.

The level differences across the site, as demonstrated on the submitted topographical and elevational drawings, show that the site operates as an upper yard plateau defined by retaining edges. The access points and internal circulation areas are located on this established platform and no alterations to the existing vehicular access geometry are proposed.

Servicing and manoeuvring are to take place within the site. The site layout demonstrates sufficient turning space to allow vehicles to enter and leave in a forward gear. No objection has been raised by the Highway DM officers.

The proposal therefore maintains established access arrangements, provides on-site parking and manoeuvring, and does not introduce a level of traffic generation that would exceed the historic lawful use of the site**.**

Having regard to the established industrial use of the site, the existing access arrangements, the submitted Transport Statement and the absence of objection from Highways DM, the proposal would not result in unacceptable impacts on highway safety or capacity.

To ensure highway safety is maintained, as well as the suggested conditions by Highway DM officers, it is considered necessary to secure, the laying out, surfacing, marking and drainage of parking areas prior to first occupation of the development and retention of parking and manoeuvring areas for their intended use thereafter, to ensure compliance with Policies LP21 and LP22 and objectives of the NPPF.

Other matters (Impact on adjacent housing allocation & Urban Green Space , AQIA and contaminated land)

Impact on adjacent Housing Allocation (HS56) and adjacent Urban Green Space allocation (UG193)

The application site lies immediately adjacent to *Housing Allocation (HS56) to the east* together with an area designated as Urban Green Space *(UG193)* north of the site. It is therefore necessary to consider whether the proposed development would prejudice the future delivery of the housing allocation or the use of the adjacent green space.

The proposed development relates to the continuation and modest expansion of an existing industrial use within an established employment site. The site is

currently developed and forms part of a wider area characterised by a mix of industrial, residential and open space uses.

The site is separated from the adjacent allocated land by existing boundary vegetation and landscaping, which provides a degree of visual and acoustic screening between the sites. In addition, the development proposes to enclose part of the existing operational yard within a purpose-built building, which has the potential to reduce noise emissions compared with the current situation where some activities are undertaken externally.

The submitted noise assessment considers daytime operational periods only. On that basis, it is considered that the development would not give rise to unacceptable impacts on the adjacent land, taking into account the existing industrial context, the enclosure of operational activities within the proposed building and the presence of boundary vegetation which provides some screening.

However, given the proximity of the adjacent housing allocation, it is considered appropriate to secure a planning condition requiring the submission of a further noise impact assessment should the operator wish to undertake operations outside of the assessed daytime period. This will ensure that any potential impacts associated with operational hours beyond day time, primarily overnight operations, can be appropriately assessed and mitigated where necessary.

Subject to this safeguard, it is considered that the proposal would not prejudice the future development of the adjacent housing allocation nor the intended use of the adjoining Urban Green Space, and the development is therefore acceptable in this regard.

Air Quality

The NPPF requires planning decisions to sustain and contribute towards compliance with relevant air quality objectives and to ensure that new development is appropriate for its location taking into account the effects of pollution on health, living conditions and the natural environment.

Policy LP51 of the Kirklees Local Plan requires development proposals to ensure that air quality is not adversely affected and that potential impacts from emissions, dust or other pollutants are appropriately mitigated.

Environmental Health were consulted on the application. In reviewing the proposed development and the nature of the operational activities, Environmental Health confirmed that a full Air Quality Impact Assessment (AQIA) was not required.

In reaching this position, Environmental Health took into account the scale and nature of the proposed operations and the existing conditions of the site. The site is already in established industrial use and the activities associated with the proposed development are not expected to introduce significant new

emission sources beyond those already associated with the current operations.

Furthermore, it is also noted that much of the existing operational activity currently occurs externally within the open yard area. The proposals would formalise and enclose a proportion of this activity within a purpose built workshop building. The enclosure of operations within a building has the potential to provide improved containment of dust and emissions compared with the existing situation where activities are undertaken externally.

The development does not introduce processes typically associated with significant air quality impacts, nor is it located within an Air Quality Management Area. Environmental Health therefore concluded that the scale and nature of the development would not give rise to significant air quality effects.

Environmental Health also advise that:

> " *….it is expected that facilities for charging electric vehicles and other ultra-low emission vehicles are provided in accordance with the National Planning Policy Framework and Air Quality & Emissions Technical Planning Guidance from the West Yorkshire Low Emissions Strategy Group. Para 3.7.4 of the submitted Planning Statement states a total of 16no. car parking spaces will be available but no comment is made on whether any EVCPs will be provided*"

In light of the above, it is recommended that the provision of EVCPs be conditioned, in order to support the transition to low-emission vehicles, contribution towards improved air quality outcomes and to support the wider objectives of improving air quality and reducing carbon emissions.

Subject to this provision, the proposal is considered to accord with Policy LP20 (Climate Change) and Policy LP51 (Air Quality) of the Kirklees Local Plan, together with the objectives of the NPPF.

Contaminated Land

Policy LP53 (Contaminated Land) requires development proposals to ensure that land contamination is properly investigated and remediated where necessary so that land is safe and suitable for its intended use

The site comprises previously developed industrial land that has historically been used for industrial and commercial purposes.

Environmental Health reviewed the proposals and raised no objection, subject to appropriate planning conditions to ensure that any potential contamination risks are appropriately managed.

The proposals are not expected to result in significant air quality impacts and in respect of land contamination, subject to conditions securing investigation,

remediation where necessary and verification of works, the development can be made suitable for its intended use and therefore complies with Policies LP51 and LP53 of the Kirklees Local Plan and the NPPF.

Climate change

Policy LP20 of the Kirklees Local Plan seeks to ensure that development proposals respond to climate change by incorporating measures to reduce energy demand, minimise carbon emissions and use resources efficiently. The National Planning Policy Framework similarly requires the planning system to support the transition to a low carbon future and to shape development in ways that reduce greenhouse gas emissions.

A Climate Change Statement has been submitted with the application outlining the measures proposed in relation to climate change mitigation and resource efficiency.

In terms of energy efficiency, the statement confirms that the development will incorporate efficient building service controls including lighting and gas boiler controls designed to be user-friendly, efficient and up to date. The statement also indicates that low energy lighting and lighting controls will be installed to ensure lighting automatically switches off when not required. In addition, the building design will incorporate argon filled low-emissivity double or triple glazing and roof lights or openings to increase the use of natural daylight within the building, reducing the need for artificial lighting.

With regard to construction and material use, the statement indicates that the building footprint has been designed to avoid unnecessary use of materials. Materials will be selected which have a long lifespan and require minimal maintenance, which assists in reducing the overall environmental impact of the development. The statement also indicates that materials will be sourced locally where possible to reduce transport emissions associated with construction.

The statement confirms that no renewable or low carbon energy technologies are proposed as part of the development.

In relation to water efficiency, the development will incorporate water saving measures including spray and low-flow taps, self-closing or infrared controlled taps to prevent water being left running, and water-efficient toilet systems such as low flush or dual flush toilets.

The statement also confirms that biodiversity net gain will be provided in accordance with the submitted drawings and biodiversity metric calculations.

Taking these measures into account, the proposal incorporates a number of design and operational features intended to improve energy efficiency, reduce water consumption and minimise environmental impacts associated with the development. On that basis, the proposal is considered to respond to climate

change considerations in accordance with Policy LP20 of the Kirklees Local Plan and the relevant provisions of the National Planning Policy Framework.

Representations

None received.

Conclusion

The proposal represents the continued use and expansion of an established B2 industrial site and is acceptable in principle. The development has been designed to respond to site constraints, including the presence of public sewer infrastructure, with the new proposed building repositioned to maintain the required stand-off distances and safeguard statutory drainage assets.

Technical matters relating to drainage, surface water management and ground conditions have been assessed in consultation with the relevant statutory consultees. Subject to appropriate planning conditions securing detailed drainage design, maintenance arrangements and contamination safeguards, the development can be accommodated without giving rise to unacceptable impacts.

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

Report Dated: 05/03/2026

Application Number: 2024/93444
Decision Authorisation: Delegated Powers
Officer Recommendation: C.F.P

Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended) to prevent the accumulation of unimplemented permissions.

2. The development shall be carried out in complete accordance with the plans and specifications 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 to ensure a satisfactory standard of development in accordance with Policies LP1, LP7 and LP24 and of the Kirklees Local Plan.

3. The development shall be carried out in complete accordance with section 6 of the submitted Arboricultural Impact Assessment Ref: 82 036-R3-1, produced by E3P, dated 29/11/2024 and Appendix III Tree Impacts & Protection Plan.
Reason: So as to ensure that the proposed works do not damage the roots of the trees shown to be retained and to protect the viability of these trees, in accordance with Policy LP33 of the Kirklees Local Plan and the National Planning Policy Framework.

4. Prior to commencing the superstructure of the hereby approved workshop/office building to the north of the site, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

• Planting species, size and density;
• Boundary reinforcement planting along the north-west edge;
• Implementation within the first planting season following completion; and
• Replacement of failures for a minimum of five years.

The approved landscaping scheme shall be implemented in the first growing season following completion of the development or before occupation of the hereby approved workshop/office building, whichever is sooner unless otherwise agreed in writing within an alternative timescale by the Local Planning Authority. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent to any variation.
Reason: In the interests of local ecological value and visual amenity, and to accord with Policies LP24, LP30, LP32 and LP33 of the Kirklees Local Plan and the National Planning Policy Framework

5. Development shall not commence until a scheme restricting the rate of surface water discharge from the redeveloped area of the site to a maximum of 5 *litres per second* has been submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30-year storm event as a minimum requirement. Flows between the critical1 in 30 or critical 1 in 100 year storm events shall be stored on site in areas to be approved in writing by the Local Planning Authority. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. 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: In the interest of ensuring an appropriate surface water system and mitigation of flood risk are employed on site and to avoid the risk of flooding in accordance with Policies LP27 and LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework. This condition is required pre-commencement to ensure appropriate consideration and, if required, ground works may be undertaken before potentially abortive or detrimental works commence.

6. No building or other obstruction including landscape features shall be located over or within 4 (four) metres either side of the centre line of the public sewers (i.e. a protected strip width of 8 (eight) metres, that crosses the site, as shown on revised drawing- Proposed Site Plan 23013-RWD-ZZ-XX-DR-A-00-002 Rev F. No tree planting within 5 (five) metres either side of the centre line of the public sewer. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.
Reason: In order to allow sufficient access for maintenance and repair work at all times in accordance with Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

7. Notwithstanding Appendix C, specifically the drawing titled the “Drainage Strategy Plan drawing number C-01” of the Drainage Strategy Report prepared by IGE Consulting, Ref, 4425 – 01 rev V2, dated 02/10/2025, the development shall be carried out in accordance with the details in this approved Drainage Strategy Report.
Reason: In the interest of satisfactory and sustainable drainage and to accord with Kirklees Local Plan Policies LP27 and LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework

8. Before the development is brought into use the ingress and egress shall be signed and lined ‘IN’ and ‘Out’ in accordance with details that have been approved in writing by the Local Planning Authority. The signs and lining approved shall thereafter be retained.
Reason: In the interests of highway safety and to achieve a satisfactory layout and to accord with Kirklees Local Plan Policy LP21 and guidance within the National Planning Policy Framework

9. Development shall not commence (including demolition, ground works, vegetation clearance) until a Construction (Environmental) Management Plan (C(E)MP) has been 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 and the storage of plant and materials;
h. 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;
i. Measures to control and monitor the emission of dust and dirt during construction;
j. 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;
k. Site manager and resident liaison officer contact details, including information of their remit and responsibilities;
l. Means of engagement undertaken, and means of ongoing engagement proposed, with local residents, occupants and/or their representatives; and
m. 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.

10. Development shall not commence, including ground works, until a survey of the existing condition of the highways in the vicinity of the site has been submitted to and approved in writing by the Local Planning Authority. The extent of highway to be surveyed shall be agreed with the Local Planning Authority in advance. The survey shall include all highway features, including carriageway and footway surfacing, verges, kerbs, edgings, street lighting, signage and road markings.

Upon completion of the development hereby permitted, a post-construction survey of the previously-agreed extent of highway shall be carried out and the post-construction survey and a scheme of remedial works shall be submitted to the Local Planning Authority for its approval in writing. Once approved by

the Local Planning Authority, the remedial works thereby approved shall be carried out following the completion of all construction works, and shall be completed prior to bringing into use the approved workshop/office building to the north of the site.

Should any highways defects (affecting highway safety) attributable to the construction traffic or activities of the development hereby permitted be identified during the construction period, remediation of those highways defects shall also be implemented in accordance with details, and a timetable, to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety, to ensure the effective maintenance of the Highway and in accordance with Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure that an adequate survey of the surrounding road network is undertaken to establish a baseline position, prior to associated construction traffic causing potential impact.

11. Prior to bringing into use the approved workshop/office building to the north of the site, all areas to be used by vehicles, including parking area(s) as shown on the revised drawing number 23013-RWD-ZZ-XX-DR-A-00-002, Rev F - Proposed Site Plan shall have been 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 for the lifetime of the development.
Reason: To ensure the free and safe use of the highway, in the interest of highway safety and to accord with Kirklees Local Plan Policy LP21 and guidance within the National Planning Policy Framework.

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

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

For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) Fast (7-23kW) or Rapid (43kW+) charging points will be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points, then a lower number of charging points may be acceptable.

The agreed dedicated facilities for charging electric vehicles are to be installed, maintained and retained 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).

13. Development shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.
Reason: This pre commencement condition is required to identify and remove unacceptable risks to human health and the environment, prior to works that could affect the existing situation, to ensure any land contamination is dealt with sufficiently and for the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework

14. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 13 further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.
Reason: This pre commencement condition is required to identify and remove unacceptable risks to human health and the environment, prior to works that could affect the existing situation, to ensure any land contamination is dealt with sufficiently and for the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework

15. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 14. 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 ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework

16. 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 the National Planning Policy Framework

17. Prior to commencing the superstructure of the hereby approved workshop/office building to the north of the site, a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority.

The Noise Impact Assessment shall:

- assess noise arising from the operation of the site across the full proposed 24-hour operation period, including night-time operations;
- be undertaken in accordance with BS4142 (or any subsequent revision);
- consider the impact on existing and future sensitive receptors, including the adjacent housing allocation;
- identify any necessary mitigation measures, including measures relating to the design, construction and sound insulation of the building to ensure effective containment of operational noise.

The development shall thereafter be carried out in accordance with the approved Noise Impact Assessment and any mitigation measures shall be implemented prior to first use of the building and retained thereafter.
Reason: To ensure that noise arising from the development is appropriately assessed and mitigated, particularly in relation to night-time operations, in order to protect the amenity of existing and future occupiers, in accordance with Policies LP24 and LP51 of the Kirklees Local Plan and the National Planning Policy Framework.

18. No construction related noise shall be audible beyond the site boundary outside the hours of:

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

With no construction related noise audible beyond the site boundary on Sundays or
Bank/Public Holidays.
Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the National Planning Policy Framework and Kirklees Local Plan Policy LP52.

19. The development shall be carried out in complete adherence with the approved Preliminary Ecological Appraisal Report, Ref: 82-036-R1-1, dated October 24, pre and post development.
Reason: In the interests of protecting biodiversity within the site and to avoid any unacceptable ecological impacts in accordance with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework.

Note: Statutory BNG Condition

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 local planning authority; and
b) The local 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;
b) The pre-development biodiversity value of the onsite habitat;
c) The post-development biodiversity value of the onsite habitat;
d) Any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
e) Any biodiversity credits purchased for the development; and
f) Any such other matters as the Secretary of State may by regulations specify.

Note: Contaminated land

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: Electric Vehicle Charging Points

A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof.

At non-residential developments, the requirement for one standard electric vehicle charging point for at least 10% of parking spaces may initially be reduced to one charging point for at least 5% of parking spaces with the remainder provided at an agreed trigger point.

The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity. The installation must comply with all applicable electrical requirements in force at the time of installation.

Note: Off-site Highway Works

The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) regarding obtaining this permission and approval of the construction specification. 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.

Plans and specifications schedule:

Plan/document type	Reference	Version	Date received
Site Location Plan	23013-RWD-ZZ-XX-DR-A-00-001		05/12/2024
Existing elevations for Open Front Unit	23013-RWD-ZZ-XX-DR-A-10-011_Rev A		05/12/2024
Existing and Proposed Floor Plan for New Workshop	23013-RWD-ZZ-XX-DR-A-10-010_Rev B		05/12/2024
Existing Topo Survey	QDS/350/1309/TOP		11/03/2025
Full site block plan as existing	23013-RWD-ZZ-XX-DR-00 -003_Rev A		22/07/2025
Revised proposed Site Plan	23013-RWD-ZZ-XX-DR-A-00-002_rev F		11/09/2025
Revised proposed floor Plan	23013-RWD-ZZ-XX-DR-A-10-001_Rev D		28/08/2025
Revised proposed elevations	23013-RWD-ZZ-XX-DR-A-10-002_Rev B		28/08/2025
Proposed elevations for New	23013-RWD-ZZ-XX-DR-A-10-012_Rev B		05/12/2024

Workshop			
Revised Planning Statement			14/11/2025
Revised noise report			13/11/2025
Revised Design & Access statement			06/11/2025
Updated Drainage Strategy Report, prepared by IGE Consulting,	Ref, 4425 – 01 rev V2, dated 02/10/2025		09/10/2025
Updated Statutory Biodiversity Metric Report	82-036-R2-2, dated 09/10/2025		09/10/2025
Site investigation report	Report No. 203-22-989-09, dated Oct 2022		22/07/2025
Transport Statement			05/06/2025
Planning Statement	001, Dated May 2025		05/06/2025
Preliminary Ecological Appraisal	82-036-R1-1, dated Oct 2024		18/03/2025
Arboricultural Impact Assessment and Report	82-036-R3-1, dated Nov 2024		11/03/2025
Vehicle Operations			11/03/2025
Climate Change Statement			11/12/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Negotiations were undertaken to secure revisions and additional information to address concerns raised by a number of consultees including, including those from Yorkshire Water, Trees and Lead Local Flood Authority. Formal agreement has also been sought from the applicant to the conditions set out above.