

**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:	2025/62/90713/W
Site Address:	Cummins Turbo Technologies, St Andrews Road, Huddersfield, HD1 6RA
Description:	Relocation of pedestrian footbridge over St Andrews Road linking the main building with the car park, previously approved by permission 2024/91388.
Recommending Officer:	Danielle Cooper

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 6-Jun-2025

Officer Report.

Reference: 2025/90713

Location: Cummins Turbo Technology, St Andrew's Road, Huddersfield, HD1 6RA

Proposal: Relocation of pedestrian footbridge over St Andrews Road linking the main building with the car park, previously approved by permission 2024/91388.

Site Description.

Cummins Turbo Technologies is an engineering company hosting numerous large commercial and office buildings across several sites around St Andrews Road.

This application refers the erection of a covered pedestrian bridge over St. Andrew's Road to span from one part of the Cummins site complex to another, over the highway of St Andrew's Road.

The site is allocated as a Priority Employment Area in the Kirklees Local Plan, registered as PEA16.

Description of Proposal.

Planning permission is sought for the relocation of pedestrian footbridge over St Andrews Road linking the main building with the car park, previously approved under planning application 2024/91388.

The proposal comprises the erection of a covered pedestrian bridge over St. Andrew's Road to span from one part of the Cummins site complex to another, for use by Cummins employees and visitors only.

The footbridge will include accessible stepped and cabin lift access from the visitor car park. From the East side of St. Andrew's Road access would be from ground level. On the West side, the access to the footbridge is from first floor level with a proposed stair and platform lift.

The existing crossing will remain and there are no proposals to amend the layout of the main car park.

The original approved scheme proposed a single column support; however, it has been determined that the support is positioned directly over these existing services. To address this issue, a revised proposal to relocate the footbridge further south on the site has been developed. This alteration ensures that the construction of the bridge will not interfere with the existing underground services.

Additionally, a proposed extension will introduce a ground floor entrance and first floor stair lobby off the footbridge along with slight alterations to the Eastern tower access doors and windows.

The proposed Western extension is designed to replicate the existing elevation.

History of Negotiations / Amendments Received.

None.

Relevant Planning History.

2024/91388 - Erection of pedestrian footbridge over St Andrews Road linking main building with car park – Approved

Representations.

The application was advertised by site notice. No representations have been received.

Consultation Responses.

KC Highways Structures (formal) – Raised no objection to the application with the inclusion of a condition regarding the submission of a scheme relating to impact of the proposal upon highways structures to the Local Planning Authority.

KC Environmental Health (formal) – Raised no objection to the application with the inclusion of conditions and footnotes regarding contaminated land.

The Coal Authority (formal) – No objection

KC Ecology (formal) – No objection

KC Highways Development Management (formal) – No objection subject to conditions.

Policy.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 a Priority Employment Area on the Local Plan Policies Map.

The site is located within an area with a known presence of bats and within the River Colne Corridor Strategic Green Infrastructure Network.

The area of the proposed development of the car port is located within Flood Zone 2 on the Environment Agency's flood map.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP3 – Location of New Development
- LP8 – Safeguarding Employment Land and Premises
- LP21 – Highway Safety and Access
- LP22 – Parking Provision
- LP24 – Design
- LP27 – Flood Risk
- LP30 – Biodiversity & Geodiversity
- LP31 – Strategic Green Infrastructure Network
- LP51 – Protection and improvement of local air quality
- LP53 – Contaminated and Unstable Land

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, together with Circulars, Parliamentary 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 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.

The following matters are considered in the assessment below: -

- 1) Principle of development
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters
- 6) Conclusion

1) Principle of Development

Sustainable Development:

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Land Allocation – Priority Employment Area:

The site falls within a Priority Employment Area. The proposed development is considered ancillary to an employment generating use. When considering development of employment generating uses in a PEA, LP8 states:

‘Proposals for development or re-development for employment generating uses (as defined in the Glossary) in Priority Employment Areas will be supported where there is no conflict with the established employment uses (as defined in the Glossary) in the area. In instances where the site is out of centre and the proposal includes main town centre uses then policy LP13 will need to be applied.’

As discussed under the previous application ref: 2024/91388, the requirement for the proposal is due to the following reasons:

- At present, the Cummins Huddersfield site is spread over both sides of St. Andrews Road, a busy two-way road with moderate to high amounts of traffic during working hours. This road poses a constant risk to staff and visitors of Cummins. There is a traffic-light pedestrian crossing on St. Andrew’s Road that is frequently used by members of staff and visitors of Cummins. It is not unusual for staff and visitors to use this crossing multiple times a day as part of their regular work activities.
- Due to the amount of traffic in combination with the frequency of staff and visitors crossing the road, there is a permanent Health & Safety risk of a vehicle related incident occurring on this road, such as a collision with a person or persons.
- The current pedestrian crossings on St. Andrew’s Road only serve to reduce the risk. However, as driver error and human error are constant factors, the risk will always remain.
Enclosed steel frame footbridge over St Andrew’s Road to provide safe passage for members of staff and visitors of Cummins Turbo Technologies. This solution will eliminate the need for staff and visitors to cross the road using the existing pedestrian crossings, thus eliminating the risk of vehicle related incidents.

The proposed footbridge seeks to improve employer safety at Cummins Turbo Technology, which is welcomed.

The proposed structure would serve only the employers of Cummins Turbo Technology and it is considered that it would be well separated from neighbouring businesses. Officers are therefore satisfied that there would no conflict with neighbouring employment uses as a result of the proposed footbridge. The proposal has no interaction with LP13. The proposal complies with LP8.

Chapter 6 of the NPPF establishes a general principle in favour of economic development. This is subject to not conflicting with other material planning considerations. Nonetheless Chapter 6 adds weight in favour of the proposal and the principle of development is considered acceptable. Consideration must be given to the local impact, outlined below.

1) Impact on Visual Amenity

The NPPF 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 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.”*

Paragraph 135 of the NPPF is of relevance, in particular the following parts:-

- *‘b) Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping’*
- *‘c) Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change’*

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

LP24 states that proposals should promote good design by ensuring:

- *‘a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...’*
- *‘c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details...’*

Whilst the proposed footbridge would be a highly prominent addition from public vantage points along St Andrews Road, it is considered that it would not be an out of keeping feature within the industrial / commercial setting of the immediate and wider site. The exterior of the footbridge would be

constructed using dark grey standing seam cladding, light grey rainscreen cladding and dark grey aluminium frame windows / glazing.

These materials would harmonise with the external appearance of the building to which the footbridge would adjoin, which is faced in grey cladding. A condition to ensure their use is therefore recommended.

To conclude, the proposed footbridge would not appear out of place within the established built environment, in accordance with Policy LP24 of the Kirklees Local Plan. As such, the impact of the proposal and the wider area is considered acceptable from a visual amenity perspective in this case, complying with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

2) Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: “...*maintain appropriate distances between buildings*” and “...*minimise impact on residential amenity of future and neighbouring occupiers.*”

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The proposed footbridge to be erected to serve Cummins Turbo Technology would be located within a predominantly commercial area, between existing commercial buildings at the commercial complex of Cummins Turbo Technology. No residential properties are located within the immediate vicinity of the site, with the nearest buildings also functioning with a business or commercial use.

Therefore, it is concluded that the works would have no detrimental impact with regard to residential amenity, complying with policy LP24 of the Kirklees Local Plan and Chapter 12 of the NPPF.

3) Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council’s adopted Highway Design Guide also seeks to ensure acceptable levels of off-street parking are retained is also considered to be of relevance.

As noted, this revised proposal is to relocate the footbridge slightly further south on the site and as such the previous highway comments and recommended conditions apply to this application. The highway officer did request that a Stage 1 Safety Audit should be submitted prior to determination of the application. However, this information was not required with the previous permission of the footbridge. Whilst there has been a passage of time and change to guidance, due to the limited amendments proposed, that

do not go to the heart of the original permission, it would be unreasonable to require a safety audit in this instance.

The site is located on the B6432 St Andrews Road and is located between the junctions of Turnbridge Road and Croset Avenue on the edge of Huddersfield Town Centre. No element of the proposed structure is to be situated within the existing adopted highway, although it is noted it would be adjacent to it. There is an existing signalised pedestrian crossing facility in the direct vicinity of the proposed bridge, this has been assessed as part of the application and is to remain in its current location. The existing streetlighting will remain as existing and will not be impacted by the proposed development given its separation distance, and whilst there may be some overshadowing from the footbridge above, the LPA do not consider there to be any detriment to vehicle users along St Andrews Road.

As the proposal is over the highway and will be subject to a structures technical approval in principle review (AIP). A condition requiring submission of details as part of this application which ensure there is a satisfactory impact upon highways structures is recommended to be included upon any grant of permission.

Whilst the submission of the Transport Impact Assessment is acknowledged, full details of road closures and diversions will have to be agreed prior to any undertaking. In the event that planning permission is approved, a Construction Management plan is recommended to be required by condition. It is noted that a Construction Management plan has been submitted, however the appendices have not been included and as such this condition is still required to be implemented.

It should be noted that a licence, under Section 176 of the Highways Act 1980, is needed before a bridge is constructed over a highway. Section 176 states: *“The highway authority for a highway may grant to the owner or occupier of any premises adjoining the highway a licence to construct a bridge over the highway on such terms and conditions, and to use it for such period and on such terms and conditions, as the authority think fit”*.

It is noted that the Planning Statement sets out that there are no proposals to change the layout of the main car park, as such parking levels would remain.

It is considered that in this case the impact of the proposal upon the highway can be suitably mitigated by the inclusion of the recommended conditions and subject to their inclusion, the proposal is considered to have an acceptable impact upon access and highway safety and a neutral impact upon parking given it would not be a development which would likely lead to an increased parking demand and would not affect existing parking provision.

Therefore, with the inclusion of the aforementioned conditions and related footnotes, it is considered that the proposal would appropriately accord with Policies LP21 and LP22 of the Kirklees Local Plan.

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 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 will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

As part of this application, a Climate Change Statement has been submitted, which sets out various mitigation measures, including solar panels proposed to the roof of the footbridge.

Given the scale of the development, and intended measures to be undertaken, it is not considered that any further measures are required in terms of the planning application, with regards to carbon emissions.

Biodiversity / Ecology:

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

An ecological assessment has been submitted as part of this application, which has set out that a 16% net gain can be achieved by, amongst other things, the provision of 3.no trees.

As part of the determination of this planning application, a formal consultation was undertaken with KC Ecology, who raised no objections to this application. They do set out, in their consultation response, of the need for an informative to be in place upon any grant of permission which sets out the requirements of Biodiversity Net Gain legislation.

Under the legislation, a condition is in place by law. The biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

As such, it is not considered necessary for any further condition to be in place upon any grant of permission given the statutory requirements in relation to

biodiversity and the fact that the provision of the measures set out in the submitted ecological assessment would meet the requirements of the aforementioned policy.

Therefore, subject to inclusion of the recommended informative note, the proposal is considered to be acceptable in this regard.

Flood Risk:

Section 14 ('Meeting the challenge of climate change, flooding and coastal change') of the National Planning Policy Framework and the National Planning Policy Framework technical guidance document are considered to be relevant. Policy LP27 of the Kirklees Local Plan relates to flood risk and sets out, amongst other things, a site specific flood risk assessment and inclusion of flood mitigation measures be undertaken for developments.

The area of the proposed development of the footbridge is located within Flood Zone 2 on the Environment Agency's flood map.

The submitted Planning Statement sets out the following related to matters of flood risk:

- The proposed development is situated outside an area prone to surface water flooding but falls within a zone susceptible to river flooding. Despite this, there have been no recorded flood incidents in the area. Therefore, the construction of a new bridge is not expected to impact the surrounding area in terms of flood risk. Further details are found in the FRA prepared by Aval.
- The proposed uses are classed as 'non vulnerable' and as such there is no requirement to undertake any sequential or impact assessments. Development is well designed and does not give rise to increase risk of flooding elsewhere.

As part of this application, a Flood Risk Assessment was submitted, which concluded the following:

- The proposed development is located within a Flood Zone 2, with a medium risk of river/sea flooding and a medium risk of surface water flooding on the highway, with a very low surface water flooding risk within the areas of the ground-level stairway entrance and lifts.
- The proposed development is situated outside an area prone to surface water flooding. However, it falls within a zone susceptible to river flooding. Despite this, there have been no recorded flood incidents in the area. Therefore, the construction of a new bridge is not expected to impact the surrounding area in terms of flood risk.
- The existing site is equipped with a comprehensive flood defence system, from which the bridge footings will also benefit.

- The development is accessible for emergency access and egress during times of extreme flooding as no potential flooding is evident on any of the access routes.
- The Flood Risk Assessment is commensurate with the development proposals and in summary, the development can be considered appropriate for the Flood Zone in accordance with the NPPF.

The proposed footbridge would be classified as a non-domestic extension to Cummins Turbo Technology and the proposed floorspace of the footbridge (excluding parts of the footbridge suspended) would have a footprint of approximately 90m². Therefore, it is considered that the proposal can be assessed using standing advice of the environment agency.

In this case the footbridge would be set at a higher level than ground level, with a stepped access, as such the impact in relation to flood risk is considered to be minimal in this case taking account of the footprint of the built form to be within the ground.

Given the above, the proposal is considered to comply with Policy LP27 of the Kirklees Local Plan and policies within Chapter 14 of the NPPF.

Contaminated Land:

With regard to land quality, paragraphs 180, 189 and 190 of the National Planning Policy Framework and policy LP53 of the Kirklees Local Plan which seeks to ensure land quality is maintained as part of new development are considered to be relevant.

The development proposals include building a new pedestrian footbridge over St. Andrews Road, allowing visitor access the first floor of the building directly from the car park. Council records indicate the site is on potentially contaminated land (our reference: 98/10).

Policy LP28 seeks to ensure development has an acceptable impact, having regard to surface water drainage. Policy LP53 of the Kirklees Local Plan and paragraphs 186 and 195 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.

Paragraph 190 of the National Planning Policy Framework states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rest with the developer and/or landowner.

KC Environmental Health have confirmed that they accept the contents of the submitted Phase II report by Rogers Geotechnical Services Ltd. However, KC Environmental Health do recommend conditions and a footnote be applied to any consent granted in relation to the works being undertaken in accordance

with the phase II remediation strategy and that verification of this is also provided.

With the inclusion of the recommended conditions and footnote, the proposal is considered to be acceptable in this regard in accordance with the aforementioned policies.

Coal Mining Legacy

Policy LP53 of the Kirklees Local Plan and paragraphs 189 and 190 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.

As part of the determination of this planning application, a formal consultation was undertaken with The Coal Authority, who considered that the content and conclusions of the Phase 1 Environmental Desk Study & Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system, in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore raised no objection to the proposed development.

As such it is considered that the proposal is acceptable with regard to ground stability in accordance with the aforementioned policies.

Strategic Green Infrastructure Network:

Policy LP31 of the Kirklees Local Plan identifies a number of areas which form part of the Strategic Green Infrastructure Network. This policy sets out that priority will be given to safeguarding and enhancing green infrastructure networks, green infrastructure assets and the range of functions they provide. This policy sets out that development should ensure the function and connectivity of green infrastructure is retained / replaced, new or enhances green infrastructure is provided / integrated into new developments. In addition, this policy requires integration of developments into walking / cycling network and providing new links where appropriate and the protection of biodiversity / ecological links. Where the creation of new or enhanced green infrastructure is proposed, provided it does not conflict with other policies within the Kirklees Local Plan policy LP31 sets out that the Council will support such development.

The development would not see the removal of any trees or hedgerows and the majority of proposed built form would be suspended above ground level. Therefore, the proposal is not considered to have a significant impact upon the Strategic Infrastructure Network and is concluded to be acceptable in this regard.

5) Conclusion

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

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

Recommendation: Approve

Decision Authorisation - Delegated Powers

Application Number: 2025/90713

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.

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord Policies LP1, LP2, LP3, LP8, LP21, LP22, LP24, LP27, LP30, LP31, LP51 & LP53 of the Kirklees Local Plan and policies within Chapters 2, 4, 6, 12, 14 & 15 of the National Planning Policy Framework.

2. The footbridge hereby approved shall be constructed from materials and of an colour finish as annotated on the submitted plan titled 'Proposed Elevations, referenced 0005, revision P7. These materials and colour finish shall be thereafter retained.
Reason: In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

3. Remediation of the site shall be carried out and completed in accordance with the Indicative Remediation Strategy in the approved Phase II report by Rogers Geotechnical Services Ltd, dated April 2024 (ref: C4137/24/E/6329). 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. The development shall not be brought into use until the remediation strategy approved by this condition has been completed.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

4. 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 paragraph nos. 189 and 190 of the National Planning Policy Framework.

5. Development shall not commence until a scheme relating to the design and construction details of proposed footbridge over the existing highway in relation to impact upon existing highways structures has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be completed prior to the development being brought into use and thereafter retained.

Reason: In the interest of the protection of the structural stability of the public highway in the interests of highway safety and to accord with Policies LP21 and LP53 of the Kirklees Local Plan and policies within Chapter 15 of the National Planning Policy Framework.

6. Development shall not commence (including ground works), 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;
- b) Hours of works;
- c) Details of construction access arrangements;
- d) Construction vehicle sizes and routes;
- e) Numbers and times of construction vehicle movements;
- f) Locations of HGV waiting areas and details of their management;
- g) Parking for construction workers;
- h) Loading and unloading of plant and materials;
- i) Storage of plant and materials;
- j) Signage;
- k) Lighting during construction works;

- l) Temporary drainage arrangements, including details of the disposal of surface water from the development including methods to manage silt;
- m) 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;
- n) Street sweeping;
- o) Site waste management, including details of recycling/disposing of waste resulting from construction works;
- p) Mitigation of noise and vibration, giving due regard to both nearby commercial and residential properties, arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;
- q) Artificial lighting used in connection with all construction-related activities and security of the construction site;
- r) Dust arising from all construction related activities, which should include measures to monitor and record the emissions of dust during construction.
- s) Site manager and resident liaison officer contact details, including details of their remit and responsibilities;
- t) Engagement with local residents, occupants and nearby businesses or their representatives; and
- u) 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).
- v) Details of road closures and diversion routes.

The approved scheme shall be implemented throughout the construction phase of the development.

Reason: In the interests of highway safety and to safeguard the amenities of the occupiers of nearby properties in accordance with Policies LP21 and LP52 of the Kirklees Local Plan and Chapters 12 and part 15 of the National Planning Policy Framework.

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: 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: The applicant is advised to contact Highways Registry (highways.registry@kirklees.gov.uk) for a licence to project, oversail or place a structure on the public highway.

Plans and Specifications Schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	CUSA-MWA-XX-XX-DR-A-0001_S2_P1		17.03.2025
Proposed Site Plan	CUSA-MWA-XX-XX-DR-A-0008_S2_P1		17.03.2025
Proposed Elevations	0005	P7	30.05.2025
Proposed Floor Plans	CUSA-MWA-XX-ZZ-DR-A-0004_S2_P4		15.05.2025
Design and Access Statement	CUSA-MWA-XX-XX-RP-A-0001_S2_P1		17.03.2025
Flood Risk Assessment			17.03.2025
Transport Impact Assessment			17.03.2025
Phase 2 Geo-Environmental Report by RGS	C4137/24/E/6329		21.03.2025
National Grid Map by Groundsure Insights	GS-4NS-KUN-J5N-GQ1		17.03.2025
Groundsure Report	GS-1ID-VOH-7YI-WXE		17.03.2025
Phase 1 Environmental Desk Study &	C4137/24/E/6328		17.03.2025

Coal Mining Risk Assessment by RGS			
Groundsure Report	GS-1ID-VOH-7YI-WXE		17.03.2025
Biodiversity Accounting Assessment Report by JCA Limited	21925/EIC		17.03.2025
Climate Change Statement			17.03.2025

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 Authority has, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application.

Report Dated:

05/06/2025