

**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:	2025/62/90756/E
Site Address:	Sir Robert Peel Inn, 14, High Street, Heckmondwike, WF16 0AR
Description:	Alterations to convert former public house to 6 flats
Recommending Officer:	Nina Sayers

DECISION – CONDITIONAL FULL PERMISSION

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

John Holmes

AUTHORISED OFFICER

Date: 3rd October 2025

Officer Report

Site Description

The site relates to an end terraced building located on the junction of High Street and St. James Street in Heckmondwike. The site has previously served as a public house. There is a small yard area to the rear of the building which has vehicle access. The plot slopes downwards from south-east to north-west. The site is unallocated within the Kirklees Local Plan.

Description of Proposal

The application is seeking planning permission for alterations to convert former public house to 6, one-bedroom flats which would be accessible from the rear of the property. No external changes are proposed to the building. 6 parking spaces would be proposed, one utilising an existing space to the front and 5 to the rear.

History of Negotiations

An amended site plan was sought to remove reference to the proposed parking to the rear as this was a point of concerns for officers as discussed in detail in section 4 of this report. Amended plans were received. No re-advertising was considered necessary as this appeases a number of the representations received.

Pre-application advice was sought, and full written feedback was provided to the applicant prior to the submission of this application.

Relevant Planning History

No relevant planning history.

Representations

The application has been advertised by site notice and on the web. Final publicity expired on 8th May 2025. 4 representations were received in objection to the application. They raised the following comments which will be addressed in section 6 of this report:

- Application has not considered criteria (d)-(h) of LP15 regarding amenity and privacy, sustainable transport, vehicle parking, affordable housing and refuse storage
- Parking to the rear will be very difficult given the existing use by taxis as well as residents of Strawberry Square – it is already congested
- Visibility on the corners of St. James Street is limited and there have been recent accidents which is exacerbated by the taxi company

- Parking provision is insufficient given most modern households have 2 cars and visitor parking
- Conversion into 4 plots would be more suitable as this would give 4 spaces for residents and 2 for visitors/additional vehicles.
- Regarding BNG, the application states that less than 25m² of habitat will be affected (claiming the de minimis exemption) and claims that the exterior is paved this is not true the former garage and also the pub garden is vegetated, there is also vegetated areas on the verge on the public road – the whole vegetated area is approximately 65m².
- Parking spaces are close to adjacent dwellings – concerns regarding pollution and noise
- How would it work with the land levels – would the area be flattened?
- Would the parking be fenced off to stop cars encroaching onto neighbours' access?

Consultation Responses

KC Highways Development Management – no objections however concerns raised regarding parking provision as discussed in section 4.

KC Environmental Health – no objections subject to conditions.

KC Highway Structures – no objections.

KC Ecology – No BNG require, recommended preliminary Bat Roost Assessment which is discussed in section 5 of this report.

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 unallocated on the Kirklees Local Plan, located 25m to the east of the identified boundary of Heckmondwike Town Centre within the Local Plan.

Kirklees Local Plan (KLP):

- LP1 – Achieving sustainable development
- LP2 – Place shaping
- LP15 – Residential Use in Town Centres
- LP21 – Highway safety and access
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity and geodiversity
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality
- LP53 – Contaminated and unstable land.

Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and open space, to be used alongside existing SPDs previously adopted. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene. As such, it is anticipated that these SPDs will assist with ensuring enhanced consistency in both approach and outcomes relating to development. In this case the follow SPDs (and design guides) are applicable:

- Highways Design Guide
- Housebuilders Design Guide
- Biodiversity Net Gain Technical Advice Note

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

The following matters are considered in the assessment below –

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

1. Principle of Development

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy LP1 goes on further to stating that: "The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area".

Community Facility

The building previously served a public house which is considered a community facility. Policy LP48 of the Kirklees Local Plan states that proposals which involve the loss of valued community facilities such as shops, public houses and other facilities of value to the local community will only be permitted where it can be demonstrated that:

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

Paragraph 17.17 of the Local Plan states that applicants will normally be required to provide evidence covering the results of reasonable attempts to actively market the land or premises for sale or lease, at existing use value to demonstrate that there is no longer a need for the facility. Paragraph 17.18 goes on to state that information will be required for licensed premises including the last 3 years of trading accounts with a breakdown of the percentages of income from food and drink. This is relevant if the other criteria/options are not applicable

The applicant has outlined within their Design and Access statement that:

"The building is no longer commercially viable as a pub and has been empty for over twelve months. Previously a number of tenants failed to make the business profitable, however since the pub was tenanted there are no accounts available. Despite being in the town centre there are several other pubs in better locations."

Whilst officers appreciate the building has been vacant for a year, additional information is required from the applicant to demonstrate that the development complies with LP48. Officers acknowledge that the applicant may not have access to financial accounts due to the pub being operated by tenants and therefore they may not be able to demonstrate compliance with LP48(b). An alternative facility is not being proposed, and the building is not on the Community Asset Register and therefore sub-paragraphs d and e are not applicable.

Regarding LP48(a), the applicant has not demonstrated that they have attempted to market the property or that any other community uses have been explored. Whilst the applicant has stated “*there are several other pubs in better locations*”, they have not provided details of the alternative pubs, or where they are located in relation to the application site.

It is however clear from the council’s mapping software that there are 3 other public houses operating in Heckmondwike Town Centre within 350m of the application site. All three public houses are located off Westgate and are as accessible as the former public house on the application site. There are also a further 4 pubs within a 1km radius of the application site. It is therefore considered that there are adequate alternative public houses in the locality to serve the local community which are in an equally accessible location thus complying with LP48(c) of the Kirklees Local Plan.

Housing Supply

It is appropriate to consider the Local Planning Authority’s overall housing position.

The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly

and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

The Council’s inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officer’s assessment.

Policy generally seeks to support residential development upon unallocated sites. Thus, residential development at the site could be acceptable in principle. Policy LP7 of the Kirklees Local Plan establishes a desired target density of thirty-five dwellings per hectare. As the proposed development is for the conversion of an existing building into six flats, split over two stories, it provides a significantly higher housing density than that required by LP7 and therefore the quantum of development is considered to contribute positively towards the council’s housing requirements, subject to ensuring the proposal does not result in over development which will be assessed in residential amenity section below.

In respect of the above, the principle of converting the building into six residential flats is considered acceptable although a more detailed assessment of the proposal’s design and its impact on the surrounding environment, assessed against Policy LP24 of the Kirklees Local Plan amongst other Policies, is undertaken below.

2 – Impact on visual amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby 131 provides a principal consideration concerning design which states:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

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...”

Paragraph 134 of the NPPF sets out that design guides and codes carry weight in decision making. Of note, Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it

fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Relevant to this is the Kirklees Housebuilders Design Guide SPD, which aims to ensure future housing development is of high-quality design.

No external alterations are proposed to the building and therefore there would be no harm to visual amenity. To the rear of the building the scheme proposes hardstanding. The existing area to the rear is partially covered in hardstanding, partially covered in grass which has been left unmaintained. It is considered that the introduction of hardstanding to the rear of the building would not cause significant harm to visual amenity.

It is therefore considered that the proposed dwelling would not cause significant harm to the visual amenity of the surrounding area. The proposal is therefore considered to be in accordance Policy LP24 of the Kirklees Local Plan, the aims of the Housebuilders Design Guide SPD and Chapters 12 of the National Planning Policy Framework.

3 – 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 130 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.

Principle 6 of the Kirklees Housebuilders Design Guide SPD states that: *“Residential layouts must ensure adequate privacy and maintain high standards of residential amenity, to avoid negative impacts on light, outlook and to avoid overlooking.”* The SPD also provides advised separation distances for two storey dwellings:

- 21 metres between facing windows of habitable rooms at the backs of dwellings;
- 12 metres between windows of habitable rooms that face onto windows of a non-habitable room;
- 10.5 metres between a habitable room window and the boundary of adjacent undeveloped land; and
- for a new dwelling located in a regular street pattern that is two storeys or above, there should normally be a minimum of a 2 metres distance from the side wall of the new dwelling to a shared boundary.

The residential properties mostly likely to be affected by the proposed development are considered to be 2 Old Station Court, 44a Oldfield Lane and 1 Strawberry Square. The impact upon these properties will be discussed below. However, the proposed development is considered to be a sufficient

distance away from any other neighbouring properties not referred to so as to prevent undue harm in terms of loss of light, loss of outlook, overlooking or loss of privacy, or the creation of an overbearing effect. Of note, whilst there are a number of other properties near the site, the proposed dwelling would be >21 metres from the surrounding properties.

2 Old Station Court

2 Old Station Court is a two storey, detached dwelling located north-west of the application site. There are habitable room windows in the south-eastern elevation of no.2 which face the application site. There would be a separation distance of at least 21m between the proposed dwellings and no.2 and therefore no significant harm is considered to be caused to the occupants of either property.

44a Oldfield Lane

44a Oldfield Lane is located west of the application site. There are no openings in the eastern side elevation of no.44a which faces the site. There would be a separation distance of ~12.9m between the proposed dwellings and the side elevation of no.44a. Therefore, no significant harm is considered to be caused to the occupants of either property.

1 Strawberry Square

1 Strawberry Square is located south-east of the application site. There are no openings in the eastern side elevation of no.1 which faces the site. There would be a separation distance of ~14.6m between the proposed dwellings and the side elevation of no.1. Therefore, no significant harm is considered to be caused to the occupants of either property.

Amenity of the Future Occupiers

Principle 16 of the Housebuilders Design Guide SPD states that: *“All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity for future occupiers. Although the government has set out Nationally Described Space Standards, these are not currently adopted in the Kirklees Local Plan.”* Further to this, Principle 17 of the Kirklees Housebuilders Design Guide SPD outlines that: *“All new houses should have adequate access to private outdoor space that is functional and proportionate to the size of the dwelling and the character and context of the site. The provision of outdoor space should be considered in the context of the site layout and seek to maximise direct sunlight received in outdoor spaces.”*

The proposed dwelling exceeds the minimum recommendations as set out within the NDSS for such a dwelling. It is considered the proposed windows would have sufficient outlook and natural light for the amenity of future occupants. Whilst it is noted that the scheme proposes no outdoor amenity space, there are two designated Small Open Spaces within 100m of the

application which will provide future occupants the opportunity to access appropriate amenity areas. In this instance, due to the sites location and the nearby open spaces, the lack of private amenity space is acceptable.

KC Environmental Health were consulted on the proposal and raised concerns regarding the potential for noise to impact the amenity of the future occupiers. The proposed site is situated at the junction of a busy roadway and is in a commercial town centre, possibly sharing a party wall with a takeaway premises. The plans show bedroom windows facing the road. Noise from traffic, businesses and customers could impact future occupiers, and therefore a condition is recommended for a noise impact assessment prior to construction works commencing so the required mitigation measures can be put in place during construction.

In conclusion, it is considered the proposed development would not cause significant harm to the residential amenity of the existing or neighbouring occupiers and is therefore considered acceptable in terms of residential amenity and it is considered that the proposed development complies with Local Plan Policy LP24(b), the Housebuilders Design Guide SPD and Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Paragraph 116 of the NPPF states that: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

Policy LP21 of the Kirklees Local Plan states that proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users.

The scheme initially proposed 6 parking spaces, 2 of which are existing. 4 spaces were proposed to the rear of the property fronting Strawberry Square. KC Highways Development Management raised concerns as the road to the rear is narrow and would not provide adequate manoeuvrability for vehicle turning, particularly due to the location of the existing telegraph pole. Further to this point, it was noted that the retaining structure that would need to be erected to support the parking could have the potential to impact on the stability of the adjacent highway and any light and outlook to the openings to the rear of the property.

The application site is within a sustainable location, <25m from Heckmondwike Town Centre and located on High Street which has frequent buses to Dewsbury, Cleckheaton and Bradford. On this basis, and due to the concerns raised in regards to the additional parking provision, officers requested that the additional parking provision be removed from the scheme. Amended plans were received which retained the 2 existing parking spaces which is considered acceptable given the sustainable location of the property.

No details of bin collection or storage have been provided. In the event that planning permission be approved, it is recommended that a condition is attached for the submission of appropriate arrangements.

It is considered it is possible for cycle storage to be provided within the curtilage of the site, specifically covered cycle storage could be provided. To ensure this is the case a condition would be included upon any grant of permission requiring the specific details to be submitted to and approved in writing by the LPA.

Taking account of the response of the Highways Team, sustainable location and subject to inclusion of the recommended conditions it is considered that the proposal would have an acceptable impact in terms of access and highway safety.

It is therefore considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the NPPF.

5 – Other matters:

Ecology

Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicant has stated in the submitted application form that they believe the application is exempt from providing BNG the development would impact less than 25m² of habitat and therefore falls under the de minimis exemption. KC Ecology are satisfied with this statement, and officers have no reason to disagree with this statement and therefore no additional measures regarding BNG are necessary.

KC Ecology have requested a Preliminary Bat Roost Assessment as the building does appear to have suitability for roosting bats and nesting birds. This application is for a change of use with no external alterations, and no changes are proposed to the roof, nor are any works proposed to convert the roof space internally. On this basis, officers do not consider it necessary to request a Preliminary Bat Roost Assessment, however the recommended that the legislative requirements in relation to the protection of bats be made aware to the applicant as an informative note, specifically that should any bats be discovered on site, development shall cease, and Natural England contacted.

Furthermore it is recommended that any permission is subject to condition requiring provision of a bat box upon the building, to ensure a level of net gain in relation to ecology is provided by the proposal and to contribute to the continued protection of bats.

On the basis of the inclusion of the recommended condition and informative, having regard to the response of the Council's Ecologist and the scale and nature of the proposal the development is therefore considered acceptable in terms of ecology and would comply with Policy LP30 of the Kirklees Local Plan and Principle 9 of the Kirklees Housebuilders Design SPD.

Land contamination and Coal Mining

The site is located within a high-risk coal mining area and therefore, a Coal Mining Risk Assessment (CMRA) would normally be required. In this instance, as the proposed development would be change of use of land or buildings and would not include groundworks the development is considered to be exempt from requiring a CRMA.

The site of the proposed development is not shown as being situated on potentially contaminated land, it is in an area with an industrial heritage and in a designated Coal Authority high risk development area. KC Environmental Health commented that it is unclear if any groundworks are necessary. With this in mind they recommended a condition in relation to unexpected contamination. As no groundworks are proposed, officers do not consider this condition necessary in this instance.

6 – Representations:

4 representations were received in objection to the application. They raised the following comments which have been addressed by officers below:

- Application has not considered criteria (d)-(h) of LP15 regarding amenity and privacy, sustainable transport, vehicle parking, affordable housing and refuse storage

Officer response: Regarding LP15(d), the impact on residential amenity has been carefully considered in section 3 of this report. Regarding LP15(e and f), this application is in a sustainable location, and adequate parking provision is provided as discussed in section 4 of this report. Regarding LP15(g), this application is not of a scale to trigger a requirement for affordable housing. Regarding LP15(h), this is recommended to be secure by condition.

- Parking to the rear will be very difficult given the existing use by taxis as well as residents of Strawberry Square – it is already congested
- Parking spaces are close to adjacent dwellings – concerns regarding pollution and noise
- Would the parking be fenced off to stop cars encroaching onto neighbours' access?

Officer response: This parking element has been removed from the scheme.

- Visibility on the corners of St. James Street is limited and there have been recent accidents which is exacerbated by the taxi company

Officer response: Additional parking has been removed from the scheme and therefore there will be no additional impact on highways over and above the existing arrangements.

- Parking provision is insufficient given most modern households have 2 cars and visitor parking
- Conversion into 4 plots would be more suitable as this would give 4 spaces for residents and 2 for visitors/additional vehicles.

Officer response: As discussed in section 4, the development is in a sustainable location and therefore the parking provision is considered acceptable.

- Regarding BNG, the application states that less than 25m² of habitat will be affected (claiming the de minimis exemption) and claims that the exterior is paved this is not true the former garage and also the pub garden is vegetated, there is also vegetated areas on the verge on the public road – the whole vegetated area is approximately 65m².

Officer response: No external alteration or additional hardstanding are proposed as part of the development. As such, the existing habitat would not be affected by the proposal.

- How would it work with the land levels – would the area be flattened?

Officer response: No changes to land levels are proposed.

7 – 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 proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2025/90756

Officer Recommendation: Approve

Conditions:

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

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

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

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP7, LP20, LP21, LP22, LP24, LP28, LP30, LP33, LP51, LP52 and LP53 of the Kirklees Local Plan, the adopted Housebuilders SPD and Chapters 5, 8, 9, 11, 12, 14, 15 and 16 of the National Planning Policy Framework.

3. Notwithstanding the plans submitted, the development shall not be brought into use until a scheme detailing:

- (i) the location, design and materials of all bin storage areas/enclosures and recycling storage areas for the residential and commercial aspects of the scheme and
- (ii) bin presentations points for collection of wastes has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be brought into use until the works required have been completed/provided, which shall thereafter be retained.

Reason: To ensure adequate waste storage facilities are provided in the interests of visual and residential amenity and highway safety to accord with Policies LP21, LP24 and LP52 of the Kirklees Local Plan, Kirklees Waste Management Design Guide for New Developments and policies contained within chapters 12 and 15 of the National Planning Policy Framework.

4. Before construction work commences a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development including road traffic and commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The report shall:

- a) Determine the existing noise climate
- a) Predict the noise climate in living rooms, bedrooms (night-time) and other habitable rooms of the development
- b) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that any risk to highway safety is identified at the outset and that appropriate mitigation, should any be necessary, is implemented at the appropriate stage of the development.

5. Notwithstanding the plans submitted, the development shall not be brought into use until secure, covered, cycle parking facilities have been provided in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall thereafter be retained.

Reason: To ensure adequate cycle storage is provided for occupiers of the development hereby approved to accord with Policies LP21 and LP22 of the Kirklees Local Plan, the Council's adopted Highways Design Guide and policies contained in chapter 9 of the National Planning Policy Framework.

6. One bat box shall be incorporated into the building prior to the development being brought into use; the box shall be long-lasting Schwegler 'woodcrete' type or similar and shall be located away from sources of light and thereafter be retained. **Reason:** To enhance the biodiversity of the site in accordance with Policy LP30 of the Kirklees Local Plan, Principle 9 of the Kirklees Housebuilders Design Guide Supplementary Planning Document and Chapter 15 of the National Planning Policy Framework.

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

NOTE: Any changes to the access within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (vehicle crossings over footways and verges). You are required to consult the Design Engineer (Kirklees Street Scene: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Interference with the highway without such permission is an offence which could lead to prosecution.

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

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

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

Plans and Specifications Table:

Plan Type	Reference	Version	Date Received
Location Plan and Site Layout			24/09/2025
Elevations			26/03/2025
Existing Floor Plans			26/03/2025
Proposed Floor Plans			26/03/2025
Elevations			26/03/2025
Design and Access Statement			26/03/2025

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 Planning Authority has, 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.

An amended Site Plan was sought to remove reference to the proposed parking to the rear as this was a point of concerns for officers as discussed in detail in section 4 of this report. Amended plans were received. No re-advertising was considered necessary as this appeases a number of the representations received.

Report Dated: 24/09/2025

