

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended)**

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR  
CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

Reference No:	<b>2025/44/90800/W</b>
Site Address:	David Brown Santasalo Uk Ltd, Park Works, Park Road, Lockwood, Huddersfield, HD4 5DD
Description:	Discharge of details reserved by conditions 16 (Glint and Glare Assessment) and 17 (External Lighting Scheme) of previous permission 2023/92630 for variation of condition 2 (plans and specifications) of previous permission 2022/93342 for demolition of existing building and erection of engineering building with associated external works and discharge of condition 18 (swift box).
Recommending Officer:	Katie Chew

**DECISION – Discharge of Condition – 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: 10-Apr-2025**

**Application:** 2025/90800

**Application Site:** David Brown Santasalo Uk Ltd, Park Works, Park Road, Lockwood, Huddersfield, HD4 5DD.

**Proposal:** Discharge of details reserved by conditions 16 (Glint and Glare Assessment) and 17 (External Lighting Scheme) of previous permission 2023/92630 for variation of condition 2 (plans and specifications) of previous permission 2022/93342 for demolition of existing building and erection of engineering building with associated external works and discharge of condition 18 (swift box).

**Assessment:**

Condition 16: Glint and Glare Assessment

*16. Prior to the installation of solar photovoltaic (PV) panels, a Glint and Glare Assessment (inclusive of both phases of development) shall have first been submitted to and approved in writing by the Local Planning Authority. The assessment shall consider the potential effects of glint and glare on neighbouring residential dwellings to the west of the site on Nabcroft Lane, Sunningdale Road, and the residential development on the St. Luke's Hospital site. Any necessary mitigation measures identified shall be undertaken prior to the installation of the solar photovoltaic (PV) panels and retained as such thereafter for the lifetime of the development.*

**Reason:** *In the interest of protecting residential amenity of neighbouring occupiers and reducing the risk of additional light pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.*

In support of Condition 16 the following documents have been submitted:

- Solar Photovoltaic Glint and Glare Study, ref: 13694A, issue 1, authored by PagerPower Urban & Renewables, dated September 2024, received 25/03/2025.
- PV System Project Overview, authored by SOL PV Group, received 25/03/2025.

The submitted Solar Photovoltaic Glint and Glare Study has undertaken an assessment of the potential solar reflections from the proposed solar panels towards roads and nearby dwellings. This can be viewed in detail within paragraphs 1.1-5.2 of the above report.

The conclusions in respect of road safety outline that views of the proposed development are significantly obstructed by existing vegetation, buildings and intervening terrain for sections of the A62/Manchester Road and the A616, within 1km of the proposed development. Therefore, no impact is predicted, and mitigation is not required for these roads. A low impact is however predicted upon the remaining local roads, within 1km of the proposed development. A low impact is predicted in accordance with associated guidance set out in

Appendix D of the report, and methodology presented in Section 4.3.1. Mitigation of this impact is not recommended.

Conclusions are also drawn in regard to residential amenity. The report states that solar reflections are geometrically possible towards 11 of the 21 assessed dwelling receptors. Screening in the form of existing buildings is predicted to significantly obstruct views of reflecting panels for two dwellings, such that solar reflections are not predicted to be experienced by residents. No impact is predicted for these dwellings and therefore mitigation is not required.

For eight dwellings, solar reflections are geometrically possible for less than three months of the year and less than 60 minutes on any given day. No significant screening has been identified from the reflecting panel area; therefore a low impact is predicted for these dwelling and mitigation is not recommended.

Finally, for the remaining one dwelling no. 60 Nabcroft Road (dwelling receptor 9), solar reflections are geometrically possible for more than three months per year, but less than 60 minutes on any given day. No significant screening for the reflecting panel area and a lack of sufficient mitigating factors have been identified. Mitigation has therefore been recommended in the form of a roof parapet/lip on the south and western boundaries of the building to screen the view of the reflecting panels.

Given the above assessment, Officers consider that sufficient information has been submitted to support the discharge of Condition 16. However, to comply with the condition's ongoing requirement, the mitigation measures identified within the submitted Solar Photovoltaic Glint and Glare Study must be undertaken prior to the installation of the solar photovoltaic (PV) panels and retained as such thereafter for the lifetime of the development. A note stipulating this ongoing requirement is therefore recommended.

#### Condition 17: External Lighting Scheme

*17. Prior to the installation of external artificial lighting, an external lighting scheme for each phase of the development hereby permitted shall first be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:*

- *The proposed hours of operation of the lighting*
- *The location and specification of all the luminaires*
- *The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated*
- *The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site*
- *The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.*

*No external artificial lighting shall be used on any phase of the development unless the lighting has been installed and operated in accordance with the approved scheme.*

**Reason:** *To safeguard the amenities of the occupiers of nearby properties, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.*

In support of Condition 17 the following document has been submitted:

- External Lighting Impact Assessment Report, Ref: P1773-NOV-E-RPT-001 Rev A, authored by Novo, dated 20/06/2023, received 25/03/2025.

This document has been reviewed by KC Environmental Health (ENVH) who have provided the following response in their consultation dated 09/04/2025:

*We agree with the E3 zone classification from The ILP guidance and accept that the predicted light intensity at nearby sensitive receptors is shown to be below the acceptable levels in the guidance (shown in table 3 of the report).*

*We therefore make the following recommendation.*

### **Recommendations**

#### Condition 17 (External Lighting Scheme)

*We accept the External Lighting Impact Assessment Report by DBS-BUILDING 4, Ref: P1773-NOV-E-RPT-001 Rev A. We therefore recommend the part discharge of condition 17. Condition 17 requires installation and operation in accordance with the approved scheme and thus elements remain in perpetuity.*

Officers concur with this assessment and recommend that the details for Condition 17 are approved.

However, as outlined above, Condition 17 does have an ongoing requirement to ensure that the external artificial lighting shall be installed and operated in accordance with the approved scheme. Thus, the condition cannot be fully discharged until all of the external lighting hereby approved has been installed correctly. A note setting this out may be placed on the decision notice.

KC Environmental Health have requested that a note regarding their powers under Section 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including artificial light be placed on the decision notice. Officers consider this reasonable.

**Recommendation:** Approve.

**Report Dated:** 09/08/2025.

**Recommended Decision Notice Text**

### Condition 16: Glint and Glare Assessment

Pursuant to Condition 16, you have submitted:

- Solar Photovoltaic Glint and Glare Study, ref: 13694A, issue 1, authored by PagerPower Urban & Renewables, dated September 2024, received 25/03/2025.
- PV System Project Overview, authored by SOL PV Group, received 25/03/2025.

The submitted details are deemed to be acceptable for the initial requirements for Condition 16. However, Condition 16 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*Any necessary mitigation measures identified shall be undertaken prior to the installation of the solar photovoltaic (PV) panels and retained as such thereafter for the lifetime of the development.*

### Condition 17: External Lighting Scheme

Pursuant to Condition 17, you have submitted:

- External Lighting Impact Assessment Report, Ref: P1773-NOV-E-RPT-001 Rev A, authored by Novo, dated 20/06/2023, received 25/03/2025.

The submitted details are deemed to be acceptable for the initial requirements for Condition 17. However, Condition 17 does have the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

*No external artificial lighting shall be used on any phase of the development unless the lighting has been installed and operated in accordance with the approved scheme.*

Further to the above, please note the following comments from KC Environmental Health:

*Kirklees Council has additional powers under Section 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Should problems be encountered once the scheme is installed and operational we would work with the applicant to resolve any issues.*