

**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:	2025/62/91019/W
Site Address:	Fartown Village Hall, Ball Royd Road, Fartown, Huddersfield, HD2 1AN
Description:	Change of use from village hall F2(b) to mosque F1(f)
Recommending Officer:	Edward Cheseldine

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: 12th March 2026

Officer Report

2025/91019 - Fartown Village Hall, Ball Royd Road, Fartown, Huddersfield, HD2 1AN

Site Description

The site is a former community centre, which is a detached building built with brick exterior walls and concrete roof tiles over a part hipped part pitched roof. Parts of the building are fenced with green palisade fencing. The site includes a hard surfaced carpark to the east of the building with area of grass surrounding.

The building is located in a residential area. Fartown Recreation Ground is located to the west of the site. The site is located within flood zone 2.

Proposal Description

The applicant is seeking permission for a change of use from a community centre to a mosque (place of worship). There are no external changes proposed.

Internal plans include a prayer room, meeting room, kitchen, stores, w/c area and mezzanine level. The internal floor space capacity of the prayer area is 160m².

Amendments/Negotiations

Throughout the application process, Officer requested the following supplementary information:

- Car Park Layout Plan, authored by Acument, received 29 September 2025, reference (100)05
- Noise Report, authored by Acoustic Solutions, received 29 September 2025, reference AS25-71.V2.
- Noise Report, authored by Acoustic Solutions, received 05 November 2025, reference AS25-71.V3.
- Supplementary highway safety details.
- Waste collection details.

These plans/details were received and reviewed by Officers, they are discussed throughout the report.

Public Representation

The application was advertised by way of a site notice which expired on 08 August 2025. As a result of the publicity, 29 representations were received. These included 25 supporting comments, 2 general comments and 2 objections.

Supportive Comments

- The mosque will be much closer for certain members of the community
- The Muslim community in Fartown is growing and a mosque is needed.
- It will be a positive step for the local community allowing for a much needed space for religious educational and community needs.
- This space will give many local residents the chance to walk rather than drive over to the current facilities.
- The village hall is rundown and a change of use will revitalise the building.
- The mosque will also be a community hub, charity work, cultural events, and educational activities.
- The location of the mosque will benefit elderly and disabled people.
- A mosque will strengthen community relationships.

General Comments

- Within approximately a one-mile radius, there are already six mosques serving the local community.
- The building is located directly next to a public park, which is heavily used by families and children. Increased traffic which would pose a significant risk to children entering and exiting the park.
- This would add to existing congestion and parking pressures in an already busy area.
- The hall is quite small and there is a risk of overspill into surrounding streets and outdoor area.
- The area is in greater need of spaces such as youth centres, recreational halls, or multi-use venues
- A mosque will decrease crime in the local area
- A mosque will be a positive addition to the area.

Objections

- The mosque will not be very big to host a place of worship.
- There are several other mosques located in a short distance to the site

- It would be better if the building was a secular building used for community uses.
- The area currently has existing parking issues.

Planning matters relating to the points raised above will be assessed throughout the report, with a conclusion to the responses is set out within the '*Representations*' section of the report.

Relevant Planning History

89/06403 – Erection of single-storey community centre – Permission granted

Consultation Responses

KC Environmental Health (EHO) – Comments received on 15 October 2025 & 08 December 2025. Most recent comments confirm no objection, subject to conditions.

Initially a Noise Impact Assessment was requested to assess the background noise level and impact from the proposed use. Further details in relation to amplification devices that may be used on site and noise due to the closing and opening of doors and windows was also requested.

Following this, Noise Report AS25-71.V3 was submitted, detailing noise amplification measures. A condition the development is operated in accordance with Appendix 4, titled Noise Action Plan control noise for neighbouring occupiers, is recommended by the Environmental Health Team.

KC Highways – Verbal comments received on 01 October. Requested scaled car park plan, expected trip generation data, car parking management details. Applicant submitted details through email.

Formal comments received 20 February raised concern in relation to supply of parking space and demand and obstruction caused by on-street parking. It is recommended within their response of 20th February that a Car Parking Management Plan that contains details of parking mitigation measures be secured by condition.

Policy & Legislation

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.

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

The site is within the UNALLOCATED in the Kirklees Local Plan.

The site is within Flood Zone 2 as identified by the Environment Agency, falls within an area with a known presence of bats and also falls within an area identified as being at higher risk of land instability as a result of former mining activity by the Mining Remediation Authority.

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.

The following policies are therefore considered relevant to the determination of this application:

Kirklees Local Plan Policies

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 7** – Efficient and effective use of land and buildings
- **LP 21** – Highway safety
- **LP 22** – Parking
- **LP 24** – Design
- **LP 27** – Flood Risk
- **LP 30** – Biodiversity & Geodiversity
- **LP 43** – Waste management hierarchy
- **LP 48** – Community facilities and services

- **LP 52** – Protection and improvement of environmental quality

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, and the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- 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

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 assessed.

The site is with the UNALLOCATED on the KLP Policies Map. Policy LP2 states that:

“All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...”

The site’s last known use was that of a community centre serving community groups.

LP48 serves to protect from the loss of community facilities that are of value to the local community. The application will result in the loss of a community centre, which will be replaced by a place of worship, both of which are considered to be community facilities. In which case it must be evidenced the closure of an existing community facility is justified in order to comply with the policy.

Evidence provided by the applicant indicates the building was relinquished from Kirklees Council ownership following the sale of the site in 2024. A notice of disposal was issued by Kirklees Council prior to the sale. The building has been owned by the council and utilised by various community groups throughout its existence. Its sale is documented and it is considered the building was sold as its current use is no longer viable.

The proposed use will be of an alternative community facility in the form of a place of worship which is considered to comply with LP48 of the Kirklees Local Plan.

Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. In terms of minor development, Policy LP24 of the KLP is relevant and Chapter 12 of the NPPF, regarding design.

In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, highway safety and environmental matters.

Impact on Visual Amenity

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

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

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...”

There will be significant visual impacts related to the proposed development which will see the change of use of the building and overall site operation. Therefore the development is considered to be acceptable with regard to visual amenity, complying with LP24 of the Kirklees Local Plan.

Impact on Residential Amenity

LP24 b), which sets out that proposals should promote good design by, amongst other things, development minimising impact on residential amenity of future and neighbouring occupiers. LP52 seeks, amongst other things, to ensure noise and emissions resulting from developments are acceptable.

The building will be utilised as a place of worship, the coming and going of people during opening hours is not considered to impact upon the privacy of neighbouring residents significantly more than the existing lawful use of the building / site which can take place in any event.

There are no extension or alterations proposed that would result in a loss of light or outlook.

In terms of noise and general disturbances the use has the potential to impact neighbouring residents as large groups gather at certain times during the operational hours of the site.

It is understood that x5 prayers will be recited daily over the course of 24 hours. Prayer times will vary throughout the year; however, there will be times when prayers occur between 23:00 and 07:00 hours.

In this regard, a Noise Impact Assessment has been submitted, which assesses the predicted noise levels in comparison with the existing baseline conditions. Appendix 4 sets out a Noise Action Plan that addresses potential noise arising from traffic movements, internal noise sources, general noise associated with arrivals and departures, outreach and communication, and in times where special events are held.

The Noise Action Plan identifies mitigation measures to prevent or minimise noise impacts associated with the use of the place of worship. It is therefore recommended that the measures set out in Appendix 4 be secured by condition to ensure compliance with policies LP24(b) and LP52. The approach set out within the noise management plan is considered to be acceptable by the Council's Environmental Health Team.

To ensure the overall impact of the development is acceptable as a result of noise and that noise amplification equipment is not utilised such that it could have a significant impact it is recommended that any grant of permission is subject to condition that noise amplification equipment is not used externally.

Subject to the inclusion of the condition that the noise management plan of the site is undertaken in accordance with the details set out in the submitted noise assessment, it is considered the proposed use accords with policies LP24b and LP52 of the Kirklees Local Plan and policies within Chapters 12 & 15 of the NPPF.

Impact on Highways Safety

Policy LP21 states all proposals should ensure the safe and efficient flow of traffic within the development and on the surrounding highway Network.

Policy LP22 and the Kirklees Highways Design Guide Supplementary Planning Document are relevant insofar as they relate to parking provisions.

The development will use the existing car park and access which are located at the eastern aspect of the site. The proposed car park will include 12 parking spaces with access from Ball Royd Road. It may be possible to stack cars within the car park given the shared arrival and departure times. The applicant has provided a car park layout plan reference (100)05 revA to support the application.

The application was assessed by KC Highways who provided comments, they confirm that the application is considered acceptable on highways grounds, on balance due to parking concerns, with a condition for a Car Park Management Plan

Within their response they make reference to potential requirement for a traffic regulation order (and funds for such an order to be secured by a S106 agreement). and the inclusion of mitigation funding within a S106 agreement.

Any requirement for a traffic regulation order (and funds to secure such an order) needs to be weighed up in light of the response of the Highways Team, the fact the existing lawful use of the building has the potential to have a similar impact and whether the requirement of such a legal agreement is necessary to ensure the development would be acceptable.

Ball Royd Lane is a 30mph two-way single carriageway residential access road of approximately 7m width with footways on both side and street lighting. The site is approximately 300m from stops on two high frequency bus routes.

It is recognised that, due to the proposed capacity of the development, there is likely to be some on-street parking on Ball Royd Street, the road along the east side of the site, and surrounding public roads, as the car park may not have sufficient capacity.

The roads to the north and west are too narrow to accommodate parked cars, as they are single-lane passages.

The areas surrounding the site are predominantly residential in character. Bradford Road is located approximately 70 metres to the west of the site. However, access to Bradford Road is limited, as the surrounding residential roads generally do not provide direct access to the A-road

In terms of impact, as stated above, on-street parking within the surrounding residential area is anticipated due to the limited parking provision on site.

Parking should therefore be appropriately monitored and managed at peak times to ensure the efficient use of the on-site car park, while preventing nuisance parking on street corners and along the single-lane roads in the vicinity. This will help to avoid obstruction and maintain the safe operation of the local highway network.

Accordingly, a Parking Management Plan is recommended to be secured by condition to provide details of the use and operation of the car park and the proposed management arrangements.

Having regard to the fact the proposed use will benefit from an on-site car park, there are areas where on-street parking can be take place and a management plan will limit nuisance parking, it is considered, on balance, a reason for refusal of the proposal in relation to parking and highway safety could not be substantiated in this case particularly in light of the existing use of the development.

Specific measures which a traffic regulation order would seek to secure are not set out in the response of the Highways Team. They do, however raise

the possibility that a traffic regulation order may be an approach that could be explored. In this context, weighing up the consideration that the highways team confirm the proposal would not have a severe impact upon the highway within their response, and the existing operation of the site able to take place in any event, it is considered that it would be unreasonable of the LPA to insist upon a S106 agreement to be in place prior to the determination of this application.

This conclusion is drawn having cognisance of the fact the existing lawful use of the site has the potential to have a similar impact as that of the proposed use and on balance and subject to inclusion of a condition requiring a car park management plane to be agreed in writing with the LPA it is concluded the proposal would be acceptable in this regard.

Having regard to the response of the Council's Highways DM Team it is considered that weighing up the applicable factors in this case, on balance and taking account of the existing lawful use of the site which can take place in any event, the proposal is acceptable in terms of highway safety and would not cause a severe impact on the operation or efficiency of the local highway network. It is recommended the car park is laid out prior to the first use of the building set to be approved.

Environmental Issues

BNG & Ecology

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The development is considered to benefit from the di minimis exemption as set out by The Biodiversity Net Gain Requirements (Exemptions) Regulations 2024.

Paragraphs 187, 193, 194 and 195 of 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.

The proposal is for a change of use with no external alteration; it is not considered necessary to impose a habitat uplift.

Whilst the site falls within an area with a known presence of bats, given internal works to the building can be undertaken in any event (as they fall

outside the definition of development as set out in section 55 of the Town and Country Planning Act 1990) and on the basis an informative is included advising the applicant of their responsibilities should bats be encountered, the proposal is concluded acceptable in this regard.

Flood Risk

Kirklees Local Plan Policy LP27 ensures supported by an appropriate site specific Flood Risk Assessment in line with national planning policy where necessary, taking into account of all sources of flooding so that proposal do not increase flood risk elsewhere and where possible should reduce flood risk.

The application site is identified within the Environment Agency's Flood Zone 2 on the Council's internal GIS. As part of the information accompanying the application, the agent has completed the Environment Agency's pro-forma entitled "Flood Risk Assessments for Householder and other minor extensions in Flood Zones 2 and 3".

The application is for a change of use from a community centre to a place of worship, the vulnerability of the use is therefore not changing as a result of the proposal. The information submitted with the application is considered satisfactory for this nature of development and would address the aims of Policy LP27 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

Waste Strategy

Policy LP43 of the Kirklees Local Plan, seeks to safeguard suitable waste management facilities for developments to work towards achieving the objectives and targets for recycling/recovery for waste as set out in the Waste Framework Directive.

The applicant has indicated that waste collection will be undertaken by Kirklees Council's collection services. Places of worship are provided with a 240L grey bin and 240L green bin which is indicated on plans. An additional space is indicated for the provision of another 240L bin when the Simpler Recycling scheme is introduced by Kirklees Council later this year. Bins areas are indicated to be in pull out distance from the highway. The provisions are acceptable. It is recommended a compliance condition is included that bins are locked and gated to prevent fly tipping and misuse.

Carbon Budget

The proposal is a small scale development and seeks change of use of the existing building. The re use of the building is considered to be a preferred approach to development in terms of carbon reduction. As such, no special measures were required in terms of the planning application with regards to carbon emissions. However, there are controls in terms of Building Regulations which will need to be adhered to as part of the construction process which will require compliance with national standards.

Other Matters

Crime & Safety

LP24 part e requires proposals to promote good design by ensuring the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features.

The site currently benefits from palisade fencing around the entranceway and windows/doorway on the south elevation. There are grills on the windows, roller shutters are also installed on the windows/doorway of the eastern elevation. It is proposed these elements are retained for the interest of security and are considered sufficient in provided a suitable level of security for the building and its use.

Representations

Insofar as they are not addressed earlier in this report, the representations received are addressed as follows:

Objections

- The mosque will not be very big to host a place of worship.
- There are several other mosques located in a short distance to the site.
- It would be better if the building was a secular building.

Officer Comments: The application is assessed on the merits of the scheme as proposed.

- The area currently has existing parking issues.

Officer Comment: A condition for a parking management plan will be set with details to be approved by the Local Planning Authority in respect of parking issues.

Supportive Comments:

- The mosque will be much close for certain members of the community
- The Muslim community in Fartown is growing and a mosque is needed.
- It will be a positive step for the local community allowing for a much needed space for religious educational and community needs.
- This space will give many local residents the chance to walk rather than drive over to the current facilities.
- The village hall is rundown and a change of use will revitalise the building.
- The mosque will also be a community hub, charity work, cultural events, and educational activities.
- The location of the mosque will benefit elderly and disabled people.
- A mosque will strengthen community relationships.

Officer Comments: Supportive comments are noted. The application has been assessed on its own merits.

General Comments:

- Within approximately a one-mile radius, there are already six mosques serving the local Muslim community.
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Officer Comments: The application has been assessed on its own merits.

- The building is located directly next to a public park, which is heavily used by families and children. Increased traffic which would pose a significant risk to children entering and exiting the park.
- This would add to existing congestion and parking pressures in an already busy area.

Officer Comment: A condition for a parking management plan will be set with details to be approved by the Local Planning Authority in respect of parking issues. It is noted there may be an increase in vehicles using the site.

- The hall is quite small and there is a risk of overspill into surrounding streets and outdoor area.

Officer Comments: The host building has been assessed to be acceptable in terms of a change of use to a place of worship as set out in the assessment section of this report. It is recommended, in terms of noise, to be a condition of any approval for noise control measures to be adhered to.

- The area is in greater need of spaces such as youth centres, recreational halls, or multi-use venues
- A mosque will decrease crime in the local area
- A mosque will be a positive addition to the area.

Officer Comments: These comments are noted.

Conclusion

The application for a change of use has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given its acceptability in terms of the principle of development and impact to visual amenity, residential amenity, highway safety and environmental matters, the proposal is acceptable.

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

As set out above, 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, subject to conditions.

Recommendation

Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.
Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP1, LP2, LP7, LP21, LP22, LP24, LP27 LP30, LP43, LP48, LP52 of the Kirklees Local Plan, and policies within Chapters 2, 4, 8, 9, 12, 14 and 15 of the National Planning Policy Framework.

3. The development hereby approved shall not be brought into use until a vehicle parking and management plan has been submitted in writing to the Local Planning Authority. The vehicle parking and management plan shall include details of:
 - i. Trip generation and expected parking demand at the site
 - ii. Resident Liaison member of staff and contact details
 - iii. Method(s) of informing resident of events taking place where high volumes of guests are expected. (for example this might include leaflet, text, website, notice board etc).
 - iv. the use of car park attendant/s and marshals
 - v. An overflow parking plan and the use of stacking within the existing car park.
 - vi. Monitoring schedule of on-street parking generated by the development and the means of mitigation in the event of repeated anti-social parking and obstruction.
 - vii. Promotion of the use of sustainable and active travel
 - viii. Mechanism for review of the vehicle parking and management plan and undertaking of mitigation in relation to part vi of this condition.

The development shall not be brought into use until the submitted vehicle parking and management plan has been approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved vehicle parking and management plan.

Reason: This is a pre-occupation condition to ensure the site can be made safe and accessible and in the interests of highway safety, to ensure pedestrian safety and in the interests of residential amenity and to accord with LP21, LP22 & LP24 of the Kirklees Local Plan and Chapters in the National Planning Policy Framework.

4. The development hereby approved shall be operated in accordance with the measures specified within Appendix 4 titled 'Noise Action Plan' of the submitted Noise Impact Assessment authored by Acoustic Solutions dated 19 September 2025 Ref: AS25-71.V3

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

5. Notwithstanding the submitted plans, 1.80m closed panelled fencing and gates shall be erected around the areas indicated as bin storage areas on site plan (100)04 revA and thereafter retained. Gates shall be lockable. The fencing and gates shall be retained thereafter.

Reason: In the interests of waste management and security, to achieve a satisfactory layout and to comply with Policies LP21, LP22, LP24 and LP43 of the Kirklees Local Plan and chapter 12 of the NPPF.

6. Prior to the first use of the development hereby permitted, the car park on the approved plans shall be fully constructed and completed. This shall include the proposed on-site car parking, turning and waiting areas, which shall be levelled, laid out, demarcated and surfaced in accordance with the car park as detailed within the red line boundary indicated on approved plan (100)05 revA. The parking and manoeuvring areas shall thereafter be retained and maintained and kept available for that specific purpose for the lifetime of the development.

Reason: To ensure the permanent availability of the parking and manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with Policies LP21, LP22 & LP24 of the adopted Kirklees Local Plan.

7. At no time shall noise amplification equipment be used externally.

Reason: To ensure the development has an acceptable impact as a result of noise to accord with policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership.

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully. Reason: In order that the proposals are implemented in accordance with the Wildlife and Countryside Act 1981 (as amended).

NOTE: No construction related noise should 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 Public Holidays. 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: 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	LOC	-	23 June 2025
Existing site plan	(100)02	A	23 June 2025
Proposed site plan	(100)04	A	16 February 2026
Existing floor plan	(100)01	A	23 June 2025
Proposed floor plan	(100)03		23 June 2025
Car park plan	(100)05	A	26 February 2026

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 2024 and otherwise actively engaged with the applicant in dealing with the application. Further information and plans were provided throughout the course of the application which were received and accepted.

