

**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>2025/44/91050/E</b>
Site Address:	Shawcross 170, Churwell Vale, Shawcross Business Park, Dewsbury, WF12 7RD
Description:	Discharge of details reserved by condition 12 (Lighting Scheme) on previous permission 2023/93486 for reconfiguration of building, re-orientation of car parking and service yard, erection of a noise barrier and external alterations
Recommending Officer:	Nina Sayers

**DECISION – Discharge of Condition – Refuse**

**I hereby authorise the refusal 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: 13-Jun-2025**

## Officer Report

**Reference** – 2025/91050

**Site address** – Shawcross 170, Churwell Vale, Shawcross Business Park, Dewsbury, WF12 7RD

**Proposal** – Discharge of details reserved by condition 12 (Lighting Scheme) on previous permission 2023/93486 for reconfiguration of building, re-orientation of car parking and service yard, erection of a noise barrier and external alterations

### Assessment

#### Condition 12 – Lighting Strategy

*“12. Before the installation of external artificial lighting commences, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:*

- a) The proposed hours of operation of the lighting*
- a) The location of all the luminaires*
- b) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.*
- c) 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*
- d) 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 unless the lighting has been installed and operated in accordance with the approved scheme.”*

In support of condition 12 the applicant has submitted:

- External Lighting and Ducting Layout Sheet 1 of 2 “6725-CBC-00-00-DR-U-96002 T02”
- External Lighting and Ducting Layout Sheet 2 of 2 “6725-CBC-00-00-DR-U-96003 T02”
- Document titled ‘Condition 12 – Photographic Evidence of Lighting”
- Cover Letter – Batch 4 dated 1<sup>st</sup> April 2025

The submitted information demonstrates:

- the proposed hours of lighting operations will be dusk until dawn
- Plans showing the location of each luminaire

- A dusk till dawn sensor will be used as a measure of switching and controlling the lighting

The above details are all considered acceptable for aspects of condition 12, however, condition 12 is multi-faceted and there is still information outstanding. This includes:

- The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated has not been provided. It is noted that the cover letter refers to a plan titled Kingfisher Lighting Design however this has not been submitted with the application. Officers need to review a LUX plan or similar which shows the maintained average horizontal illuminance
- Whilst details state that to minimise or eliminate glare and stray light arising from the use of the lighting a number of the lights will be low glare. Officers need to see on a plan which specific lights are low glare as this is not clear from the information provided.

Therefore, the submitted information does not provide all of the information required to fully discharge condition. Condition 12 cannot therefore be discharged and must remain in place until all the information has been provided to and approved by the Local Planning Authority. Condition 12 must therefore remain.

**Recommendation:** Refused

**Report Dated:** 09/06/2025

### **Proposed Letter Text**

#### Condition 12 (Lighting)

Pursuant to condition 12, you have submitted:

- External Lighting and Ducting Layout Sheet 1 of 2 “6725-CBC-00-00-DR-U-96002 T02”
- External Lighting and Ducting Layout Sheet 2 of 2 “6725-CBC-00-00-DR-U-96003 T02”
- Document titled ‘Condition 12 – Photographic Evidence of Lighting”
- Cover Letter – Batch 4 dated 1<sup>st</sup> April 2025

The submitted information does not provide all of the information required to fully discharge condition 12. The condition cannot therefore be discharged and must remain in place until all the information has been provided to and approved by the Local Planning Authority. Condition 12 must therefore remain.

