

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:	2025/44/91528/E
Site Address:	Land off, Kenmore Drive, Cleckheaton, BD19 3EJ
Description:	Discharge of details reserved by conditions 16 (ventilation) on previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens
Recommending Officer:	Louise Bearcroft

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: 18-Mar-2026

Application Reference – 2025/44/91528/E

Proposal - Discharge of details reserved by conditions 16 (ventilation scheme) on previous permission 2020/91746 for erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens

Address - Land off, Kenmore Drive, Cleckheaton, BD19 3EJ

Condition 16 (Ventilation Scheme)

16. Before any above ground works commence, a ventilation scheme shall be submitted to and approved in writing by the Local Planning Authority. The ventilation scheme shall show how habitable rooms of all apartments shall be provided with sufficient ventilation to help control thermal comfort and avoid over heating during hot weather without the need to open windows. All works which form part of the approved scheme shall be completed prior to first occupation of any apartment and retained thereafter.

Reason: *To ensure the proposed development does not cause harmful noise pollution within any noise sensitive locations within or near to the site, 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.*

Documents Submitted

- CLK-WME-XX-XX-SC-M-37-0001, P01. Mechanical Services, Ventilation Schematic, Landlord Areas.
- CLK-WME-XX-LG-DR-M-57-0001, P01. Mechanical Services, Lower Ground – Ventilation Layout, Sheet 1 of 2.
- CLK-WME-XX-LG-DR-M-57-0002, P01. Mechanical Services, Lower Ground – Ventilation Layout, Sheet 2 of 2.
- CLK-WME-XX-GF-DR-M-57-0001 P01. Mechanical Services, Ground Floor - Ventilation Layout, Sheet 1 of 3
- CLK-WME-XX-GF-DR-M-57-0002 P01. Mechanical Services, Ground Floor - Ventilation Layout, Sheet 2 of 3
- CLK-WME-XX-GF-DR-M-57-0003 P01. Mechanical Services, Ground Floor - Ventilation Layout, Sheet 3 of 3
- CLK-WME-XX-01-DR-M-57-0001 P01. Mechanical Services, Level 1 - Ventilation Layout, Sheet 1 of 3
- CLK-WME-XX-01-DR-M-57-0002 P01. Mechanical Services, Level 1 - Ventilation Layout, Sheet 2 of 3
- CLK-WME-XX-01-DR-M-57-0003 P01. Mechanical Services, Level 1 - Ventilation Layout, Sheet 3 of 3
- CLK-WME-XX-02-DR-M-57-0001 P01. Mechanical Services, Level 2 - Ventilation Layout, Sheet 1 of 3
- CLK-WME-XX-02-DR-M-57-0002 P01. Mechanical Services, Level 2 - Ventilation Layout, Sheet 2 of 3

- CLK-WME-XX-02-DR-M-57-0003 P01. Mechanical Services, Level 2 - Ventilation Layout, Sheet 3 of 3
- Louvre Specification Datasheet – Series WL
- TM59 Thermal Analysis Report for Wheatley M&E November 2024. Project no. QTE019724.
- Letter from Wheatley Dated 23 April 2025
- Airbrick Specification
- Extract Fan Specification
- Datasheet – 57-0002 Amenity MVHR Units
- TM52 Thermal Analysis Report for M&E Wheatley November 2024. Project no. QTE019724.

Consultation Responses

K.C Environmental Health: Provided the following comments in their consultation response dated 26/02/2026:

The applicant has submitted a TM59 Thermal Analysis Report dated November 2024 Ref. QTE019724 along with a number of data sheets in support of the discharge of the condition. The simulated results show all apartments pass the TM59 overheating assessment.

Recommendations The submitted information is accepted. However, we recommend the condition is not discharged as the mitigation measures need to be retained after installation.

Yorkshire Water: In a letter dated 10/06/2025 Yorkshire Water state:

At this time, Yorkshire Water OBJECTS to the discharge of Conditions 10 and 12.

No drainage proposals have been submitted with the application despite the condition numbers been quoted on the application form. Please re-consult YW once the missing drainage details have been submitted.

This is understood to be a clerical error, with conditions 10 and 12 not included within this Discharge of Condition application. Condition 16 relates to ventilation which has no association with drainage and/or flood risk.

Assessment

An informal consultation was held via K.C Environmental Health surgery, and officers were advised that to make an informed assessment a comprehensive document was required which details the ventilation solution, references the individual plans and specifications, and cross references the Noise Report.

In response, the applicant has submitted a TM59 Thermal Analysis Report dated November 2024 Ref. QTE019724 along with a number of data sheets in support of the discharge of the condition. K.C Environmental Health note the simulated results show all apartments pass the TM59 overheating assessment

and they consider the information is accepted, per their 26/02/2026 response. They recommend the condition is not discharged however as the mitigation measures need to be retained after installation.

In accordance with the comments from K.C Environmental Health, the details are considered to be acceptable for the purposes of satisfying the initial requirements of condition 16. However, as noted above the condition cannot be fully discharged as it has the following ongoing requirement.

All works which form part of the approved scheme shall be completed prior to first occupation of any apartment and retained thereafter.

Recommendation: Approve Details for Condition 16

Report Dated: 17/03/2026.

Recommended Decision Notice Text:
Condition 16 (ventilation scheme)

You have submitted the following documents pursuant to Condition 16

- CLK-WME-XX-XX-SC-M-37-0001, P01. Mechanical Services, Ventilation Schematic, Landlord Areas.
- CLK-WME-XX-LG-DR-M-57-0001, P01. Mechanical Services, Lower Ground – Ventilation Layout, Sheet 1 of 2.
- CLK-WME-XX-LG-DR-M-57-0002, P01. Mechanical Services, Lower Ground – Ventilation Layout, Sheet 2 of 2.
- CLK-WME-XX-GF-DR-M-57-0001 P01. Mechanical Services, Ground Floor - Ventilation Layout, Sheet 1 of 3
- CLK-WME-XX-GF-DR-M-57-0002 P01. Mechanical Services, Ground Floor - Ventilation Layout, Sheet 2 of 3
- CLK-WME-XX-GF-DR-M-57-0003 P01. Mechanical Services, Ground Floor - Ventilation Layout, Sheet 3 of 3
- CLK-WME-XX-01-DR-M-57-0001 P01. Mechanical Services, Level 1 - Ventilation Layout, Sheet 1 of 3
- CLK-WME-XX-01-DR-M-57-0002 P01. Mechanical Services, Level 1 - Ventilation Layout, Sheet 2 of 3
- CLK-WME-XX-01-DR-M-57-0003 P01. Mechanical Services, Level 1 - Ventilation Layout, Sheet 3 of 3
- CLK-WME-XX-02-DR-M-57-0001 P01. Mechanical Services, Level 2 - Ventilation Layout, Sheet 1 of 3
- CLK-WME-XX-02-DR-M-57-0002 P01. Mechanical Services, Level 2 - Ventilation Layout, Sheet 2 of 3
- CLK-WME-XX-02-DR-M-57-0003 P01. Mechanical Services, Level 2 - Ventilation Layout, Sheet 3 of 3
- Louvre Specification Datasheet – Series WL
- TM59 Thermal Analysis Report for Wheatley M&E November 2024. Project no. QTE019724.
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- Extract Fan Specification
- Datasheet – 57-0002 Amenity MVHR Units
- TM52 Thermal Analysis Report for M&E Wheatley November 2024.
Project no. QTE019724.

The details are acceptable for the purposes of satisfying the initial requirements of condition 16 and are hereby approved. However, be aware that the condition cannot be fully discharged as it has the following ongoing requirement which must be adhered to, to ensure ongoing compliance:.

All works which form part of the approved scheme shall be completed prior to first occupation of any apartment and retained thereafter.