

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:	2025/62/91532/W
Site Address:	Land at, George Street/Bankhouse Lane, Milnsbridge, Huddersfield
Description:	Use of land for storage and distribution (B8) erection of boundary fence, siting of skips, containers and associated works (within a Conservation Area)
Recommending Officer:	Danielle Cooper

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: 10th July 2026

Reference No. 2025/91532

Site Address: Land at, George Street/Bankhouse Lane, Milnsbridge, Huddersfield

Proposal: Use of land for storage and distribution (B8) erection of boundary fence, siting of skips, containers and associated works (within a Conservation Area)

Site Description

The site relates to piece of land that is currently operating under a B8 use – storage and distribution. The site is enclosed by a palisade fencing. Containerships, skips and on site parking spaces for staff, commercial and storage vehicles are present on site.

The proposal is retrospective.

The site is separated into 3 smaller sections that can be rented out by other companies.

Site 1 is occupied under lease by a manufacturer of mattresses, headboards & beds, who operate from the industrial units on the southern side of George Street. They use the site for waste & recycling of materials related to their business operation, parking of staff vehicles & some external storage of materials such as bed springs, with a number of associated skips and bulk bags awaiting bulk collection.

Site 2 is occupied by a different lease. The site is used for secure container storage of goods, which are recycled products and materials awaiting export to overseas clients.

Site 3 is currently vacant and not in use.

The site has 4 access points across the frontage.

The site is located within Milnsbridge Conservation Area.

A protected woodland and trees are located north of the site.

The site outside but in between a priority employment area. Residential properties are located north of the application site.

PROW HUD/314/10 is located west of the site.

This site has an Enforcement complaint COMP/23/0423 regarding use of land as waste storage facility without the benefit of planning permission under general investigation.

Description of Proposal

The application is to allow the use of land for storage and distribution (B8) erection of boundary fence, siting of skips, containers and associated works (within a Conservation Area).

The site is separated into 3 smaller sections that can be rented out by other companies.

Site 1 was occupied under lease by a manufacturer of mattresses, headboards & beds, who operate from the industrial units on the southern side of George Street. They use the site for waste & recycling of materials related to their business operation, parking of staff vehicles & some external storage of materials such as bed springs, with a number of associated skips and bulk bags awaiting bulk collection. The agent confirmed that the tenant for this site has now vacated.

Site 2 is occupied by a different lease. The site is used for secure container storage of goods, which are recycled products and materials awaiting export to overseas clients.

Site 3 is currently vacant and not in use.

The site will be accessed by the existing 4 access points located off of George Street.

Site 1's vehicle entrance and exit will operate as a one way system.

Only small HGV wagons will be present on site as confirmed by the agent via email, with larger waste wagons to be present on waste collection days to empty the skips.

Hours of operations are:

07:30 and 18:30 Monday to Friday
08:30 and 1300 Saturdays

Relevant Planning History

2014/91624 - Erection of 7 industrial units on existing Union Mills site with 4 industrial units on land north of George Street (within a Conservation Area) – Approved

95/92340 - USE OF LAND AS CAR PARK – Approved

Tree applications

2024/91046 - Work to trees in a Conservation Area – Granted

2021/91566 - Work to TPOs 33/89 within a CA – Granted

It is noted that the site appears to have been used for a variety of purposes with car parking taking place on the site, chain link fencing (since replaced by palisade fencing at some point between 2020 and 2023) and with a number of containers sited on the site since some point between 2016 and 2020.

Representations

The application was publicised by site notice which expired on 24th October 2025. One letter of representation has been received and the comments have been summarised below:

- Constant burning from the mattress factory part and the end plot JS movers.
- Protected trees on site have been illegally felled.
- The site was illegally cleared by the applicant with a loss to wildlife and trees.
- Previous Retrospective planning permission has been granted which included the wrong address.
- Increased litter and rodents
- Road was constantly blocked by lorries.
- The owner of the site does not adhere to law or community with neighbouring properties.
- The site has resulted in odours from the burning of mattresses.
- The site appearance is harmful to the area.

These are addressed within the 'Assessment' section of this report.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the 'Assessment' section of the report, where appropriate):

KC Highways: No objection following submission of a maintenance/management plan to be conditioned.

KC Trees: The proposals appear to have no impact on the surrounding trees. The replacement palisade fencing appears to have been already implemented and the existing hardstanding within the site will have stopped the ingress of roots from adjacent trees coming further into the site. of new storage containers or skips. No trees would need removing to facilitate the proposals and therefore there is no objection from KC trees.

KC PROW: No response

KC Conservation and Design: It is noted that the dark green palisade fencing already exists around the frontage perimeter of the site, and there are some gates; one set matches in dark green, one set is bare metal, another set is dark green mesh. Any bare metal should be painted dark green to match as closely as possible.

Proposals within Conservation Areas should aim to preserve or enhance the Conservation Area. The current proposals include containers and storage vehicles. It is recommended that appropriate landscaping should be located at the perimeter of the site, in order to reduce the impact of the storage containers and vehicles. The landscaping could include local native trees and hedges of an appropriate size and species, this would have the benefit of screening the site.

KC Lead Local Flood Authority: The site is in flood zone 2 and beyond the areas shown as flood zone 3 with climate change. The end use has not changed. Residual risk is mitigated using palisade fencing.

The surface water drainage of the site remains unaltered.

Environment Agency: No response

Negotiations

Additional information was requested from the agent in regard to operations of the site, and ensuring the vehicle entrance and exit points are satisfactory.

Planning Policy Background

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 located within Milnsbridge Conservation Area and is located within Flood Zone 2. To the south, east and west of the site is land allocated within an Priority Employment Area (PEA 77)

Kirklees Local Plan Policies

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP 7** – Efficient and Effective Use of Land
- **LP21** – Highways and access
- **LP22** – Parking
- **LP24** – Design
- **LP27** – Flood Risk
- **LP28** – Drainage
- **LP30** – Biodiversity and geodiversity
- **LP33** – Trees
- **LP35** – Historic Environment
- **LP51** – Protection and improvement of local air quality
- **LP52** – Protection and improvement of environmental quality

- **LP53 – Contaminated and Unstable Land**

In this case, the following SPDs are applicable:

- Highways Design Guide Supplementary Planning Document (2019)
- Kirklees Waste Management Design Guide (2020)
- Biodiversity Net Gain in Kirklees Technical Advice Note (2021):
- Planning Applications Climate Change Guidance (2021):
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
- Milnsbridge Conservation Area Appraisal

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 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.

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.

- **Chapter 2** – Achieving sustainable development
- **Chapter 8** – Promoting healthy and safe communities
- **Chapter 11** – Making efficient use of land
- **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
- **Chapter 16** – Conserving and enhancing the historic environment

Assessment

1. Principle of Development

Chapter 2 of the NPPF states that: *“Planning policies and decisions should play an active role in guiding development towards sustainable solutions...”*

Chapter 2 of the NPPF goes on to further state that objectives should: *“support strong, vibrant and healthy communities, providing the supply of housing required to meet the needs of present and future generations; and by fostering a well-designed and safe built environment...”*

In line with the NPPF, Policy LP1 of the Kirklees Local Plan (KLP) declares that: *“...the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.”*

Policy LP1 goes further and states: *“The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.”*

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that *“good design should be at the core of all proposals in the district”*.

The proposal seeks retrospective permission for the use of the land for storage and distribution purposes (Use Class B8), including the erection of boundary fencing, the siting of skips and containers, and associated operational works within a designated Conservation Area. The site lies immediately alongside the Priority Employment Area (KR7), an established hub for industrial and commercial operations. In addition, it is noted that there is a previous 1995 permission for use as a car park and a 2014 approval for four industrial units, together demonstrating a longstanding and recognised approach for the site for commercial and industrial development.

Given this context, the proposed B8 use, together with the associated placement of skips and containers, is considered to complement the surrounding employment uses south the south and west of the site, and forms a continuation of those developments. The use is therefore regarded as appropriate for this location.

The site is divided into three operational areas, each contributing to local employment opportunities in close proximity to an existing priority employment area.

The site also occupies a sustainable location with convenient access to established transport links, further reinforcing its suitability for employment-related uses.

Taking all of the above into account, the principle of using the site for storage and distribution (B8) is considered acceptable in principle.

The proposal shall be assessed against other material planning considerations, including visual and residential amenity, as well as highway safety. These issues along with other policy considerations will be addressed below.

2. Impact on Visual Amenity and heritage assets

Policy LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design.

Paragraph 205 of the NPPF states that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 207 goes on to state that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The application site is located within Milnsbridge conservation area, and as such it is important that the proposed development does not result in any negative impact on the conservation areas character and appearance.

KC Conservation and Design have provided comments on the proposal:

The site is located within Milnsbridge Conservation Area and is on the edge and within a mixed industrial area which is also identified on the Milnsbridge Conservation Area Appraisal on P.9.

Industrial buildings nearby are constructed of local natural stone with stone heads, sills and jambs. Corrugated sheeting has been used for some roofs of dark grey or dark green colour.

The current proposals include containers, skips and storage vehicles. It is recommended that appropriate landscaping should be located at the perimeter of the site, in order to reduce the impact of the storage containers and vehicles and act as screening in order to protect the appearance of the conservation area. This will be conditioned to ensure a comprehensive landscaping scheme is installed which will include local native trees and hedges of an appropriate size and species.

A number of containers currently on site were stacked, and therefore more visible within the street scene. To improve visual amenity of the site, a condition will be imposed to ensure any container units on the site are single storey.

It is also noted that the dark green palisade fencing already exists around the frontage perimeter of the site, and there are some gates; one set matches in dark green, one set is bare metal, another set is dark green mesh. To improve visual amenity of the site, any bare metal should be painted dark green to match as closely as possible. This will be conditioned as such.

Subject to the inclusion of the aforementioned conditions, the proposed development is considered acceptable in this location. It is noted the site is located next to existing commercial and industrial buildings and operates in a manner similar to that of the adjacent priority employment area. The impact of the proposal is such that it is considered to cause less than substantial harm to the appearance of the conservation area. In this case there are a number of public benefits, insofar as conditions can improve the visual impact of the site as it currently stands, with a number of elements of the existing site appearing to be lawful development through the passage of time. As well as the proposal would contribute a number of employment opportunities.

Subject to conditions it is therefore concluded that the proposal would be acceptable in this case having regard to policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 2, 12 and 16 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

3. Impact on Residential Amenity

Policy LP52 is considered to be of relevance and sets out that development must be considered in relation to potential for increases from pollution, in this case the relevant possible increases could relate to noise, light & odour emissions.

The proposal seeks permission for the use of the site for B8 storage and distribution purposes. The site is situated within an established industrial and commercial area. Some noise is anticipated from vehicle movements and limited processing activities associated with the operation.

The nearest residential properties are located approximately 40 metres to the north, along Armitage Road, with the intervening woodland providing a natural buffer

The proposed operating hours are 07:30 and 18:30 Monday to Friday, and 08:30 and 1300 Saturdays. These hours are considered appropriate within a mixed-use setting and will be secured by condition.

No burning of materials will take place on site as confirmed by the agent via email. These measures will be conditioned to ensure the protection of residential amenity.

No details of external lighting have been submitted at this stage. A condition requiring the submission and approval of a lighting scheme will therefore be imposed should external lighting be proposed in the future. With such a condition in place, the impact of lighting is considered acceptable.

Given the site's location within an established industrial/commercial area, and subject to the conditions outlined above to control noise and odour, it is considered that the proposal will not result in any unacceptable impact on residential amenity, complying with the aforementioned policies.

4. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 115 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.

KC Highways have been consulted with and provided the following initial comments:

KC Highways initially raised concerns regarding the site, noting that all four existing access points are sub-standard in width and cannot accommodate two-way vehicle movements. In addition, visibility onto George Street was restricted due to boundary fencing positioned at the back of the footway, and the gates were not set back sufficiently to allow vehicles to wait off the highway. No separate pedestrian access was provided.

Following these comments, the agent submitted revised plans illustrating how the four existing access points onto George Street would be utilised. The first two, smaller accesses would serve Site 1, while Sites 2 and 3 would each operate from a single access.

The revised plans also demonstrate acceptable visibility splays, which have been reviewed informally by KC Highways, who confirm that the updated arrangements are acceptable.

Further information was provided by the agent via email, detailing the operational arrangements for each part of the site.

Site 1 The leaseholder operating from the application site only access with small vans and employee cars. This is usually limited to six cars and no more than 2 -3 vans. HGV vehicles servicing the bedding business park on George Street and side offload / upload to the service doors of the units on the

southern side of George Street, thus avoiding the need to traverse George Street. Generally the access are used as one way ingress egress to avoid turning within the site. The gates are opened at the beginning of the day and closed at the end of the day so no need to be set back to allow vehicles to pull off highway as gate opening/closing managed daily and the start and end of each day.

Site 2 The operator uses this site for the storage of goods and materials, securely managed within the containers. The goods are stored ready for export as recycled goods to overseas clients. Access is intermittent with no day-to-day occupation of the site hence gates only opened when site is accessed so no need for set back and small van parked on George street whilst gates opened.

Site 3 As stated above this site is currently vacant and not in use. Access gates could either be managed opening/closing and beginning/end of day as site 1, or is use is only intermittent as site 2 then gates could be opening and closed as sites access with the access vehicle parked on George street without obstruction as site 2 existing use.

KC Highways have reviewed this statement and consider the proposed highway operations to be acceptable. A condition will be imposed to ensure all gates open inwards to prevent vehicles from obstructing the highway.

As the site will not be open to the public and each plot is relatively small due to the subdivision of the site area, it is not considered necessary to provide a dedicated pedestrian footpath within the site.

As no details have been submitted in regard to waste storage and collection, a condition will be imposed to ensure such details are submitted.

Taking into account the nature of the proposal and the wider context of the surrounding area, it is concluded that the development would not result in any significant adverse impact on access or highway safety.

Therefore, subject to conditions, it is 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, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

5. Other Matters

Climate change

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 pre-dates 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 proposal is for the material change of use of the land for storage and distribution with skips and containers on site. A condition will be imposed to ensure soft landscaping is implemented along the site boundaries which will help address the climate emergency through the planting of local native trees and hedges.

As such, no further special measures were required in terms of the planning application with regards to carbon emissions. Further conditions attendant to the climate change agenda are on balance not considered necessary in this instance in light of the six tests of planning conditions set out in National Planning Practice Guidance (NPPG).

Ecology

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.

With regards to Biodiversity Net Gain, the submitted application form sets out that the proposal is subject to the de minimis exemption as the development will not result in any ground works and is situated on existing hardstanding and as such does not need to provide 10% net gain. It is also noted that the proposal is retrospective.

Trees

Trees within/adjacent the site to the north are protected by TPO 33/89 and Milnsbridge conservation area.

KC Trees have reviewed the application and consider the proposals to have no impact on the surrounding trees. The replacement palisade fencing appears to have been already implemented and the existing hardstanding within the site will have stopped the ingress of roots from adjacent trees coming further into the site. No trees would need removing to facilitate the proposals and therefore there is no objection from KC trees.

As such, the proposal development is considered acceptable, complying with Policy LP33 of the Kirklees Local Plan.

Flood Risk

Part of the site is located within Flood Zone 2 on the Environment Agency's Flood Risk Map for Planning.

Policy LP27 of the Kirklees Local Plan relates to flood risk and states that proposals must be supported by an appropriate site-specific Flood Risk Assessment in line with national planning policy.

The environment agency were consulted, however they did not respond.

K.C. Local Lead Flood Authority have reviewed the application. They have stated that they support the application and agree with the conclusion of the submitted Flood Risk Assessment that this development does not increase flood risk given that no ground works are proposed.

The site is in flood zone 2 and beyond the areas shown as flood zone 3 with climate change. As the proposal is retrospective, the end use has not changed. The surface water drainage of the site remains unaltered given the use of permeable surfacing.

Given the above, officers are content that the proposal would not increase the flood risk on site or elsewhere. This is to accord with Policy LP27 of the KLP and Chapter 14 of the NPPF.

Land Quality / Stability

Policy LP53 of the Kirklees Local Plan and paragraphs 196 and 197 of the National Planning Policy Framework are relevant which seek to ensure that a site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation.

This site is identified as being potentially contaminated, however as the proposals include no ground works, it is not considered necessary for any land contamination conditions to be imposed.

It is considered that the proposal would accord with Policy LP53 of the Kirklees Local Plan.

Safety and Security

Section 17 of the Crime and Disorder Act 1998 places a duty on each local authority to '*do all that it reasonably can to prevent crime and disorder in its area*'. Section 8 ('Promoting healthy and safe communities') of the National Planning Policy Framework states at paragraph 96 that there should be an aim to achieve healthy, inclusive and safe places which: (b) are safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

Policy LP24 sets out that proposals should 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 proposed new uses have the potential to lead to a level of crime / anti-social behaviour. It is therefore considered necessary to recommend that the proposed development does not commence until a scheme has been submitted which details installation of CCTV and other security measures. Subject to condition the proposal is considered to be acceptable in this regard.

6. Representations

One letter of representation has been received and the comments have been summarised below:

- Constant burning from the mattress factory part and the end plot JS movers.

Officer comment: To ensure there will be no burning of materials on site, a condition will be imposed to ensure this is adhered to by tenants of the site.

- Protected trees on site have been illegally felled.

Officer comment: KC trees have reviewed the proposal and raise no objections. Tree work applications have also been submitted on the site and subsequently approved.

- The site was illegally cleared by the applicant with a loss to wildlife and trees.

Officer comment: It is noted that previous permissions for site clearance could have been sought to be undertaken to facilitate development permitted by 2014/91624. Given the response of the Tree Officer it is considered refusal on the basis that clearance works have been undertaken could not reasonably be substantiated.

- Previous retrospective planning permission has been granted which included the wrong address.

Officer comment: This comment is noted, however does not bear weight to the assessment of this proposal.

- Road was constantly blocked by lorries.

Officer comment: KC Highways have reviewed the proposal and raise no objections. It is also noted the gates will be required to open inwards to prevent cars waiting on the highway.

- Increased litter and rodents.

Officer comment: Details of the proposed waste storage and collection arrangements are required to be submitted to the Local Planning Authority for approval. Should issues relating to litter or vermin persist, these should be reported to KC Environmental Health for investigation.

- The owner of the site does not adhere to law or community with neighbouring properties.

Officer comment: This comment is noted. Any breach of planning control in relation to any grant of permission could be investigated by the Planning Enforcement Team.

- The site has resulted in odours from the burning of mattresses.

Officer comment: To ensure there will be no burning of materials on site, a condition will be imposed to ensure this is adhered to by tenants of the site.

- The site appearance is harmful to the area.

Officer comment: As the proposal is located within an industrial and commercial area, the proposed skips and containers are considered acceptable on balance. It is also noted that KC Conservation and Design have raised no objection to the proposals.

7. Conclusion

This application 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 the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered 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. 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.

Recommendation: - Approve
Decision Authorisation - Delegated Powers
Application Number: 2025/91532
Officer Recommendation: Approve
Conditions and Reasons

1. 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 LP1, LP2, LP3, LP7, LP8, LP21, LP22, LP24, LP30, LP33 LP35, LP52 and LP53 of the Kirklees Local Plan, the guidance within the Council's Highways Design Guide SPD and the aims of the National Planning Policy Framework.

2. The land detailed on plan ref: 4442-01-03a shall not be used for any purpose other than those falling within use class B8 (storage and distribution) of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

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 LP1, LP2, LP3, LP7, LP8, LP21, LP22, LP24, LP30, LP35, LP52 and LP53 of the Kirklees Local Plan, the guidance within the Council's Highways Design Guide SPD and the aims of the National Planning Policy Framework

3. No activities shall be carried out on the premises, including deliveries to or dispatches from the premises, outside the hours of:

07:30 and 18:30 Monday to Friday.

08:30 and 13:00 Saturdays

No activities shall take place on Sundays or Bank Holidays.

Reason: In the interests of local amenity and to accord with the aims of the National Planning Policy Framework.

4. The approved container units shall not exceed a single storey in height and shall be no higher than 3m in total with no stacking of containers.

Reason: To protect the visual amenity of the area, in accordance with Policies LP24 and LP35 of the Kirklees Local Plan and policies within Chapters 12 and 16 of the National Planning Policy Framework.

5. Within three months of the date of this permission, all areas of boundary treatments which are exposed or bare metal shall be painted in a dark green colour to match as closely as practicable the existing green fencing which shall be retained thereafter.

Reason: In the interests of visual amenity, in accordance with Kirklees Local Plan Policies LP24 and LP35 and policies within Chapters 12 and 16 of the National Planning Policy Framework

6. No burning of any materials shall take place within the site at any time.

Reason: In the interests of residential amenity, in accordance with Kirklees Local Plan policies LP24 & LP52 and policies within Chapters 12 and 15 of the National Planning Policy Framework

7. Within three months of the date of this permission, all boundary gates and fences shall be altered so that they open inwards only and retained as such thereafter

Reason: In the interests of highway safety, in accordance with Kirklees Local Plan policies LP21 and LP24 and policies within Chapter 9 of the National Planning Policy Framework.

8. Within three months from the date of this permission, a scheme shall be submitted which details storage, bin presentation points and access for collection of wastes from the premises hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided within one month of the written approval of the submitted scheme which shall be so retained thereafter.

Reason: In the interests of amenity and highway safety and to meet the requirements set out in Local Plan Policy LP24 part d(vi) and policy LP21 of the Kirklees Local Plan.

9. Within three months of the date of this permission, a detailed soft landscaping scheme shall be submitted to the Local Planning Authority. The submitted scheme shall detail the planting of soft landscaping along all site boundaries, including the use of locally native trees and hedgerow species of appropriate size and specification. The submitted scheme shall be completed within the first planting season following the issuing of the written approval of the scheme by the Local Planning Authority. The approved scheme shall thereafter retained for the lifetime of the development. All areas of soft landscaping shall be retained as soft landscaping for the lifetime of the development.

Reason: To ensure a satisfactory appearance of the development and to safeguard visual amenity and the wider Conservation Area, in accordance with policies LP24 & LP35 of the Kirklees Local Plan, and policies within Chapters 12 and 16 of the National Planning Policy Framework.

10. Within three months from the date of this permission a scheme shall be submitted to the Local Planning Authority which sets out all measures to minimise the risk of crime and meet the specific security needs of the application site and the development. The submitted scheme shall include details of the following measures:

- a) Provision of a video surveillance and/or Closed Circuit (CCTV) system
- b) Provision of intruder alarms which meet the requirements of BS EN 50131 (Intrusion and hold-up systems) and EN 50136 (Alarm transmission systems and equipment).
- c) Vehicle mitigation

The approved scheme shall be completed within one following the issuing of the written approval of the scheme by the Local Planning Authority and retained thereafter.

Reason: to ensure that safety and security measures have been agreed in pursuance of the Council's duty under Section 17 of the

Crime and Disorder Act 1998 and to accord with policy LP24 of the Kirklees Local Plan and the policies contained within Chapter 12 of the National Planning Policy Framework.

11. No external lighting shall be installed unless and until a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), has first been submitted to, and approved in writing by the Local Planning Authority. The lighting scheme will demonstrate how all artificial lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented in accordance with the specifications and locations set out within the Lighting Strategy.

Reason: In the interests of biodiversity and residential amenity in accordance with Policies LP24 & LP30 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

12. There shall be no more than 4. no containers sited within the positions set out within submitted drawing 4442-01-03a.

Reason: In the interests of visual amenity and the conservation area setting of the site, and for the avoidance of doubt as to what is being approved, to accord with policies LP24 and LP35 of the Kirklees Local Plan and policies contained within Chapters 12 and 15 of the National Planning Policy Framework.

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 Section 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: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulations of the Conservation of Habitats and Species Regulations 2017. It is an offence for anyone intentionally to 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 they 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: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing

access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

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 the works may be carried out.

Plan Type	Reference	Version	Date Received
Location plan	4442-01-01		04/06/2025
Proposed Site Plan	4442-01-03a		19/05/2026
Existing & Proposed Street Elevations	4442-01-05a		16/06/2026
Climate Change Statement			04/06/2025
Design and Access Statement			04/06/2025
Heritage Statement			04/06/2025
Flood Risk Assessment	KRS.0895.001.R.001.B		28/08/2025

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 have, 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. Additional information was requested from the agent in regard to operations of the site, and ensuring the vehicle entrance and exit points are satisfactory.

