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:	**2025/62/92205/E**
Site Address:	Mars Care And Treats Petcare Europe Ltd, Oakwell Way, Birstall, Batley, WF17 9LU
Description:	Erection of ammonia based refrigeration plant equipment
Recommending Officer:	Nicole Helliwell

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 14 October 2025

Officer Report

Reference No. 2025/62/92205/E

Site Address: Mars Care And Treats Petcare Europe Ltd, Oakwell Way, Birstall, Batley, WF17 9LU

Proposal: Erection of ammonia based refrigeration plant equipment.

Site Description

The application relates to Mars Care And Treats Petcare Europe Ltd situated off Oakwell Way in Birstall, Batley. The site is located within a priority employment area (PEA45) on the Kirklees Local Plan Proposals Map. The wider area comprises a combination of residential and commercial properties of varying materials, ages and architectural styles. The site is not within a conservation area, nor are there any listed buildings within close proximity. However, public right of way BAT/8/30 is located along the eastern boundary of the application site.

Description of Proposal

The application seeks planning permission for the erection of ammonia based refrigeration plant equipment. The details of the proposal have been summarised below:

- x3 Chiller Plinths (approx. 7m in length and 1.5m in depth)
- x2 Buffer Tanks (approx. 3.3m in length and 3.3m in depth)
- GRP Switchroom Enclosure (approx. 5m length and approx. 3m in depth)
- Heat Pump (approx. 7m in length and approx. 1.5m in depth)
- Staircase (approx. 9.7m in length and approx. 0.9m in depth)
- Primary and Secondary Pumps (approx. 1.6m in length and approx. 1.45m in depth)
- Cond Pump (approx. 1.6m in length and approx. 1.1m in depth)

Relevant Planning History

- **2016/92985:** Discharge of conditions 3. (Phase II Intrusive Site Investigation Report) 4, 5, & 6. (Remediation Strategy) on previous permission no: 2016/90611 for Demolition of existing security gatehouse and erection of new building with upgraded boundary and site. Planning application details | Kirklees Council - Discharge of Condition(s) Split Decision
- **2016/90670:** Erection of palisade fence and 4 CCTV masts. Planning application details | Kirklees Council - Conditional Full Permission

- **2016/90611:** Demolition of existing security gatehouse and erection of new building with upgraded boundary and site works. Planning application details | Kirklees Council - Conditional Full Permission
- **2016/90610:** Erection of illuminated signs. Planning application details | Kirklees Council – Advertisement Consent Granted
- **2014/93585:** Installation of reinforced base and erection of 3 silos. Planning application details | Kirklees Council - Conditional Full Permission
- **2013/90657:** Removal of existing product silos and replacement with new product silos. Planning application details | Kirklees Council - Conditional Full Permission
- **2012/91588:** Discharge conditions 7, 9, 10, 11 following a grant of planning permission on 2011/90489. Planning application details | Kirklees Council – Discharge of Condition(s) Split Decision
- **2011/92945:** Non material amendment on application no. 2011/90489 for erection of a packaging extension with associated service yard, loading bays & HGV trailer park, erection of process extension with associated service yard, loading bays & lorry park, alterations to western external open space area to include a woodland walk, alterations to site access arrangement relocation of existing security gatehouse, erection of a new sprinkler tank, formation of hard standing to the west of the new process extension, erection of a enclosure for electric transformer and erection of enclosure to accommodate electric transformer to the north of the existing buildings, amendments to layout of existing car and cycle parking provision and demolition of existing packaging extension. Planning application details | Kirklees Council - NMA Approved
- **2011/92331:** Non material amendment to previous permission 2009/93375 for erection of single wind turbine with ancillary infrastructure to include access. Planning application details | Kirklees Council – NMA Approved
- **2011/90489:** Erection of a packaging extension with associated service yard, loading bays & HGV trailer park, erection of process extension with associated service yard, loading bays & lorry park, alterations to western external open space area to include a woodland walk, alterations to site access arrangement relocation of existing security gatehouse, erection of a new sprinkler tank, formation of hard standing to the west of the new process extension, erection of a enclosure for electric transformer and erection of enclosure to accommodate electric transformer to the north of the existing buildings, amendments to layout of existing car and cycle parking provision and demolition of existing packaging extension. Planning application details | Kirklees Council – Conditional Full Permission
- **2010/93208:** Variation of condition 2 from planning permission 2008/92656 for erection of 50m high anemometry mast. Planning application details | Kirklees Council - Conditional Full Permission

- **2010/92280:** Removal of existing column and antennas and replacement with new 20m Jupiter column with antennas, together with the addition of 1 no new equipment cabinet. Planning application details | Kirklees Council - Conditional Full Permission
- **2010/91031:** Installation of 5 powder silos. Planning application details | Kirklees Council - Conditional Full Permission
- **2009/93375:** Erection of single wind turbine with ancillary infrastructure to include access. Planning application details | Kirklees Council – Refused (Appeal Upheld)
- **2009/91985:** Erection of replacement facias. Planning application details | Kirklees Council - Conditional Full Permission
- **2009/91984:** Installation boundary fence, vehicle & pedestrian access gates and security mast. Planning application details | Kirklees Council – Conditional Full Permission
- **2008/93290:** Installation of 3 no. powder silos to factory. Planning application details | Kirklees Council – Conditional Full Permission
- **2008/92656:** Erection of 50m high anemometry mast. Planning application details | Kirklees Council - Conditional Full Permission
- **2000/90227:** Erection of storage building. Planning application details | Kirklees Council - Conditional Full Permission
- **99/92108:** Erection of 3m high fencing to form compound for plant and machinery. Planning application details | Kirklees Council - Conditional Full Permission
- **98/91932:** Erection of process building and extension to car park. Planning application details | Kirklees Council - Conditional Full Permission

Representations

The application was publicised by site notice, which expired on 22nd September 2025. As a result of the above publicity, no representations have been received.

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 Ecology – No objection
The Mining Remediation Authority – No objection
KC Environmental Health – No objection subject to recommended conditions

Policy

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 a priority employment area (PEA46) on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place shaping
- **LP 3** - Location of New Development
- **LP 8 -** Safeguarding Employment Land and Premises
- **LP 9 -** Supporting Skilled and Flexible Communities And Workforce
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity & Geodiversity
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 53** - Contaminated and Unstable Land

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)
- Waste Management Design Guide for New Developments (Version 5, October 2020).

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, 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 12** - Achieving Well-Designed Places
- **Chapter 14** - Meeting the Needs of Climate Change, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment

<u>Assessment</u>

1. **Principle of development**

The site is allocated as a Priority Employment Area (PEA45) on the Kirklees Local Plan (KLP). 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.

With regard to the land allocation as employment land, Policy LP8 supports development which continues the employment use. Part 1 of the policy states that proposals for re-development for employment generating uses (as defined in the Glossary) in Priority Employment Areas will be supported where there is no conflict with the established employment uses in the area (as defined in the Glossary). Part 2 of the policy outlines the limitations if a proposed scheme is proposing a non-employment generating use.

The Local Plan Glossary defines employment generating uses as being those which come under Use Classes B1, B2 and B8. Following changes to the Use Classes Order, Use Class B1 has been replaced with Use Class E. The proposal seeks planning permission for the erection of ammonia based refrigeration plant equipment. Although this would not be an employment generating use (as defined in the Local Plan glossary), it would be provided on land already related to a B2 use. As such, the scheme would comply with Policy LP8.

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, as well as highway safety. These issues along with other policy considerations will be addressed below.

1. Impact on Visual Amenity

Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed 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.”*

The proposed ammonia based refrigeration plant equipment would be relatively small in size and scale when viewed in the context of the application site. The equipment would be located to the north-eastern of the site and would have limited visibility from public vantage points. Furthermore, it is considered the appearance of the development would be functional and typical for this type of equipment. For these reasons, the proposed development would not cause any significant harm to the visual amenity of the wider street scene, complying with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework.

2. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

Due to its location and nature, the proposal would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of nearby neighbouring occupants. Therefore, it is considered that there would be no undue harm with regard to residential amenity.

Having considered the above factors, the proposed works are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Paragraph 135(f) of the National Planning Policy Framework.

3. 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 116 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.

The proposed development would not materially intensify the use or affect the existing highway access and parking arrangements on site. Therefore, 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.

4. 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.

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures.

Biodiversity Net Gain

The application form states that the development subject to the de minimis exemption, would be exempt from providing Biodiversity Net Gain. At this stage, Officers are only able to assess this on the basis of submitted information. Should the proposal be considered not exempt by reason of not being this or other relevant categories for the scale of the development then an appropriate condition, supported by a BNG metric submitted for the approval of the LPA, would be required to ensure on-site BNGs would last for at least 30 years to meet the requirements of this legislation.

Coal Mining Legacy

The Mining Remediation Authority records indicate that the site lies in the defined Development High Risk Area where underground coal mining has taken place at shallow depth and where further historic unrecorded shallow coal mining is likely to have occurred. In addition, their records indicate that the plotted position of an on-site mine shaft 423427-061 is located in the north eastern part of the access track with its potential zone of influence covering part of the access track. The Mining Remediation Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support their planning application.

The planning application is accompanied by a Technical Note prepared by PeterDann engineering possibilities (reference no. 11-2322, dated 13th August 2025). This document shows previous grouting that has been completed on

site in the past as well as giving more on an insight into the Ammonia Project foundations and groundworks required. The Technical Note summary highlights that the proposal will be *'situated entirely within an area of the site that benefitted from extensive grouting works undertaken in 2011' and 'the new equipment will be installed on existing concrete hardstanding constructed over grouted ground, with additional concrete plinths and foundation pads designed to accommodate relatively modest plant loads.' With the final comments on the document stating that 'given the location of the proposed works, the nature of the ground treatment already undertaken, and the relatively lightweight nature of the new plant, it is considered that the risks associated with historic coal mining activity have been appropriately addressed.'*

Taking the above into account and the Grouting Location Plan (drawing no. 10-3302/550), the Mining Remediation Authority's Planning & Development Team does not consider that a Coal Mining Risk Assessment is required to support the proposal and have no objection to the planning application.

Air Quality

In support of the application an Air Quality Assessment by Lucion (reference no. 121716, dated July 2025) has been submitted. The report considers the impact the proposed development will have on existing air quality, and how this will impact existing and future sensitive receptors during the construction and operational phases. It uses techniques detailed in national and local guidance, such as Local Air Quality Management Technical Guidance, the Institute of Air Quality Management (IAQM) Technical Guidance and The West Yorkshire Low Emission Strategy (WYLES) – Technical Planning Guidance.

A description of the development is provided in section 1.2.2 *"comprises a series of new chillers and associated pump skids in plant enclosures along with liquid coolers mounted above. These will reject waste heat to atmosphere and maintain process cooling to the facility. The chillers will utilise ammonia within a closed loop system with no point source emissions under normal operating conditions."*

Construction Phase

For the construction phase, a qualitative assessment of fugitive dust emissions was undertaken in accordance with the Institute of Air Quality Management (IAQM) Guidance. This involved a risk assessment to identify all potential sources of dust during the construction phase. The report concludes that the residual impact of dust during the construction phase is considered to be not significant if all the mitigation methods listed within Section 6 are applied.

Operational Phase

An assessment was undertaken using the screening criteria contained within the IAQM guidance to determine the potential for trips generated by the development to affect local air quality. KC Environmental Health are informed the plant is providing replacement refrigeration facilities to the existing manufacturing plant, no new parking provision is to be created. The report concludes the air quality impacts are considered not significant in accordance with the EPUK and IAQM guidance. Therefore, KC Environmental Health accept the report and have recommended a condition in relation to dust mitigation.

Contaminated Land

The site of the development is on land identified as potentially contaminated due to the parent manufacturing site. According to the information supplied a concrete pad already exists onto which various items of refrigeration plant will be installed. KC Environmental Health have no comments to make and recommend a condition in relation to unexpected contamination.

Noise

A Noise Impact assessment has been submitted authored by cpwp (dated June 2025, reference no. 250607). It states 3no. chillers and 2no. fluid coolers are to be located within a plant area to the east of the site at ground floor level replacing the existing systems which comprise of 15no. chillers distributed across the site. It identifies the nearest noise sensitive receptor as a residential dwelling to the rear of the Pheasant public house along Gelderd Road, approximately 300m south from the proposed plant location. A BS4142 assessment has been conducted based upon on site noise monitoring and manufacturers data for the proposed plant and table 5.6 shows a low impact for both daytime and nighttime periods, even with a +5dB correction. The submitted information is accepted. However, KC Environmental Health have recommended a compliance condition to ensure the installed plant does not exceed measured background levels.

Public Right of Way

Although it is noted that Public footpath BAT/8/30 runs along the eastern boundary of the application site, due to the location of the proposed works, it is considered that there would be no impact upon the PROW's setting.

There are no other matters relevant to the determination of this application.

5. Representations

No representations were received following the statutory publicity.

6. History of negotiations/amendments received

No amendments were sought or received during the course of the application.

7. Conclusion

This application for the erection of ammonia based refrigeration plant equipment at to Mars Care And Treats Petcare Europe Ltd 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 extension is considered to be 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: 2025/92205
Officer 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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP8, LP9, LP21, LP22, LP24, LP30, 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. Before any construction work commences, the mitigation measures to control fugitive dust emissions during the construction phase of the development shall be implemented in accordance with those detailed in section 6 of the Air Quality Assessment by Lucion (reference no. 121716, dated July 2025) and retained for the duration of the construction period.
Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with Policy LP52 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

4. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.
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. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and Paragraph nos. 196 and 197 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. Reports must be prepared in accordance with the following guidance:

- *Land Contamination Risk Management (LCRM)*
- BS 10175:2011+ A2:2017 *Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020* by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

NOTE: The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine

entries available at: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

NOTE: Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
What is a permit and how to get one? –
https://www.gov.uk/government/publications/permit-process/permit-process

NOTE: In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

NOTE: If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements

NOTE: If any coal mining features are unexpectedly encountered, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: https://www.gov.uk/government/organisations/mining-remediation-authority

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.

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.

Plans and specifications schedule: -

Plan Type	**Reference**	**Revision**	**Date Received**
Location Plan	2853-DTA-XX-XX-DR-A-0101-LOC	F01	04/08/2025
Site Plan as Existing	2853-DTA-XX-XX-DR-A-0350	F01	04/08/2025
Site Plan as Proposed	2853-DTA-XX-XX-DR-A-0351	F01	04/08/2025
Site Grouting Location Plan	10-3302/550	R1	04/08/2025
Technical Note	11-2322	-	04/08/2025
External Lighting Statement	250607	P01	04/08/2025
Ventilation and Extraction Statement	250607	P01	04/08/2025
Air Quality Assessment	121716	-	04/08/2025
Noise Impact Assessment	250607	A	06/10/2025
Climate Change Statement	250607	P01	04/08/2025

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. In this case, the design of the

original scheme has been found acceptable. No further amendments or details were sought thereafter.

Report Dated: 06/10/2025