

**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:	<b>2025/62/92555/W</b>
Site Address:	15, St Andrew's Road, Huddersfield, HD1 6SB
Description:	Installation of 2 Silos
Recommending Officer:	Joanna Rednall

**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:** 2<sup>nd</sup> December 2025

## **Officer Report**

### **Site Description**

15, St Andrew's Road, Huddersfield, HD1 6SB, is a two-storey industrial building constructed from brick, black composite cladding panels, aluminium framed windows and doors. The property has a car parking area to the north and has landscaping in the form of grassed areas and trees along the north and north-west boundary.

### **Description of Proposal**

Planning permission is sought for installation of 2 Silos. The silos are proposed to the west-facing elevation of the building.

- The proposed silos will be constructed using powder coated steel in black finish
- Silos to be 10m in height and 2.7m in diameter

One silo will be filled with cement powder, and the second will contain plaster powder materials. These materials are currently being delivered on pallets in 25kg bags.

### **History of negotiations/amendments received**

Officers requested clarification on the operation of the silos and the materials they would contain.

### **Relevant Planning History**

2015/92014: Erection of factory and ancillary offices with car parking and new service access road  
Conditional full permission

2015/94045: Discharge of conditions 3,5,7-12, 14 & 15 on previous application 2015/92014 for erection of factory and ancillary offices with car parking and new service access road  
Discharge of Condition(s) split decision

2016/90600: Discharge 18 (travel plan) on previous permission 2015/92014 for erection of factory and ancillary offices with car parking and new service access road  
Discharge of Condition(s) approved

2016/91473: Discharge condition 17 (traffic management) on previous permission 2015/92014 for erection of factory and ancillary offices with car parking and service access road  
Discharge of Condition(s) approved

2016/91813: Discharge condition 6 (external materials) on previous permission 2015/92014 for erection of factory and ancillary offices with car parking and new service access road  
Compliance with condition(s) approved

2016/93557: Non material amendment to previous permission 2015/92014 for erection of factory and ancillary offices with car parking and new service access road  
NMA Approved

2016/93951: Non material amendment to previous permission 2015/92014 for erection of factory and ancillary offices with car parking and new service access road  
NMA Approved

2016/94159: Erection of 2 illuminated signs  
Advertisement Consent Granted

2017/91390: Notification for Prior Approval for the installation, alteration or replacement of other solar photovoltaics (PV) equipment on the roofs of non-domestic buildings  
Details Approved

2018/92225: Work to trees TPO 13/15  
Granted

2020/90062: Advertisement consent for erection of 4 illuminated signs  
Advertisement Consent Granted

2020/93406: Work to TPOs 13/15  
Granted

2024/91292: Work to TPOs 13/15  
Granted

2025/91059: Certificate of lawfulness for proposed erection of 4 silos adjacent to existing operational building  
Cert of Lawful Opps Refused

## **Representations**

This application was publicised by site notice, which expired on 30<sup>th</sup> October 2025. No representations have been received following this publicity.

## **Consultation Responses**

*Coal Authority* – No objection and recommend informative with the grant of permission.

## **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 27<sup>th</sup> February 2019).

The site is allocated as a Priority Employment Area and falls within the Strategic Green Infrastructure Network on the Kirklees Local Plan.

The site falls within an area with a known presence of bats

### **Kirklees Local Plan (KLP):**

- **LP 01** – Achieving sustainable development
- **LP 02** – Place shaping
- **LP 08** – Safeguarding employment land and premises
- **LP 21** – Highway safety and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 30** – Biodiversity and geodiversity
- **LP 31** – Strategic Green Infrastructure Network
- **LP 52** – Emissions
- **LP 53** – Contaminated and unstable land

### **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 6<sup>th</sup> 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 6 – Building a strong competitive economy
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment

## **Assessment**

1 – Principle of development:

Chapter 2 of the NPPF introduces the presumption in favour of sustainable development, which is the focus of policy LP1 of the Kirklees Local Plan. This policy stipulates that proposals that accord with policies in the Kirklees Local Plan will be approved without delay, unless material considerations indicate otherwise. Policy LP24 of the KLP is the overarching policy in relation to the design of all proposals, requiring them to respect the appearance and character of the existing development in the surrounding area as well as to protect the amenity of the future and neighbouring occupiers, to promote highway safety and sustainability. These considerations, along with others, are addressed in the following sections in this report.

The proposed development relates to an established business. The development is required in order to accommodate a larger storage capacity of the required materials on site provision of two silos is necessary to sustain and expand the operation of the existing business. The proposal would be appropriate within an Employment Area given it would be complementary to the existing employment generating use, in line with policy LP8 of the KLP.

Chapter 6 of the NPPF states that planning decisions should help create the conditions in which business can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. On this occasion, noting the need of the existing business and the economic benefit this development entails, it is considered that the principle of development could be supported in respect of policy LP8 of the KLP and chapter 6 of the NPPF.

## 2 –Impact on visual amenity:

Policy LP24 (Design) of the Council's adopted Local Plan sets out 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 and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

The proposed silos would be located on the western side of the warehouse, positioned on an existing hardstanding area. They would be finished in black powder-coated steel, which is considered appropriate for this established industrial site. Their design, scale and materials are in keeping with the surrounding industrial buildings, and as a result they are not expected to harm the appearance of the local street scene given the context within which they would be viewed.

It is recognised that the silos will be visible from a distance and from public viewpoints along the nearby canal because of their height. However, the site already has an industrial character, with other industrial structures of a similar scale present nearby. In this context, the proposed silos would appear as part

of the existing industrial setting rather than as an intrusive new feature. For this reason, officers consider their visual impact to be acceptable and not greater than what is already typical of the area. A condition to ensure they are of a black colour finish is recommended to ensure they are in keeping with the locality / host building.

In summary, the development would be of such a scale and design that is appropriate to the context of the site and its immediate surroundings. The silos would be appropriately sited to minimise their visual impact on the surroundings. As such, the proposal would be satisfactory from a visual amenity perspective, complying with policy LP24 of the KLP and chapter 12 of the NPPF.

### 3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers. 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 site is surrounded by established industrial development however during the site visit, officers noted several canal boats moored along this stretch of the canal, adjacent to the location of the proposed silos. These moorings are considered to be temporary and not used as permanent residential accommodation. In this context, and given the existing industrial character of the area, the proposal is not considered to result in any greater impact on residential amenity than currently exists.

With regard to the silos use and any associated noise, the applicant's agent has confirmed in an email dated 21/11: *"The silos will be loaded through tanker deliveries to site (in a reduced frequency compared to the current material delivery programme). This is the same process currently used for liquid material deliveries. The new silos will enable a larger storage capacity of the required materials on site which will in turn reduce the number of deliveries made to site. The client anticipates the deliveries would only be once a week for the plaster materials and once a month for the cement materials.*

*When the machinery is in use (within the building) the material will be pumped internally to the manufacturing areas. All pumps will be internally installed to reduce any external noise (the silo manufacturer has provided a noise level of 80db max for this material transfer, but this will be contained within the building reducing external noise transfer)."*

In light of this information, officers consider the noise impact from the proposed silos is acceptable. The increased storage capacity will reduce HGV delivery frequency, resulting in fewer noise-generating vehicle movements, and all material-transfer equipment will operated inside the building, ensuring noise is contained and not harmful to nearby receptors.

In conclusion, no residential amenity issues would arise from the current proposal. It would accord with policy LP24(c) of the KLP in terms of minimising the residential amenity impact on the neighbouring occupiers.

#### 4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application.

The proposed silos would be positioned within the existing service yard and would not alter the site's established access arrangements, internal vehicle circulation, or parking provision. As these operational elements remain unaffected, the development is not expected to give rise to any highway safety or efficiency concerns. The proposal is therefore considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

#### 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 installation of two silos. Given the nature of development under consideration, no specific measures are required in terms of the planning application with regards to carbon emissions. However, it is noted the development has potential to reduce HGV trip frequency that has a small scale beneficial impact in relation to carbon emissions.

##### *Contaminated and unstable land*

In relation to land stability, part of the site lies within an area identified as having potential ground movement associated with former mining activity. The Coal Authority has been consulted and confirms that the proposed silos would be located immediately adjacent to the existing building, on an area of established hardstanding, which is unlikely to require significant new groundworks or foundations. A Coal Mining Risk Assessment (SGM Structural Design Ltd, 24 July 2015) has been submitted and indicates that while coal seams are present beneath the site at a minimum depth of 13.16m, there is

no evidence that these seams have been worked. The report therefore concludes that no specific mitigation is necessary. On this basis, the Coal Authority raises no objection to the proposal and recommends that an informative is included on any planning permission granted.

### *Ecology*

The site is located within a bat alert layer However the nature of the existing use of the building / site and extent of works to the building is considered to be such there would not be a significant impact upon bats. A footnote is recommended to provide the applicant with advice should bats or evidence of bats be found during construction. This would accord with the aims of policy LP30 of the KLP and chapter 15 of the NPPF.

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 de-minimus exemption as set out by The Biodiversity Gain Requirements (Exemptions) Regulations 2024 and there is no required for BNG to be provided in respect of the aforementioned legislation.

Given the nature of the site, it is considered the development would have no significant impact upon the established strategic green infrastructure network and would be in accordance with policy LP31 of the Kirklees Local Plan in this regard.

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

### 6 – Representations:

No representations received following the statutory publicity.

### 7 – Conclusion:

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:** 2025/92555

**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 Policies LP1, LP2, LP8, LP21, LP22, LP24, LP30, LP31, LP52 and LP53 of the Kirklees Local Plan and policies contained within chapters 2, 6, 12 and 15 of the National Planning Policy Framework.

3. The 2.no silos hereby approved shall be of a black colour finish which shall be completed prior to the silos being brought into use and retained thereafter.

**Reason:** To ensure a satisfactory appearance of the development to accord with policy LP24 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.

**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.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	PL01	A	18/09/2025
Existing & Proposed Site Plans	PL02	A	18/09/2025
Existing Elevations & Section	PL02	-	10/09/2025
Proposed Elevations & Section	PL03	A	10/09/2025
Coal Mining Risk Assessment		-	23/09/2025
Photos		-	10/09/2025
Application form		-	10/09/2025
Climate Change Statement	-	-	18/09/2025

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 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. No amendments are sought in this instance as the development proposal is considered acceptable in its submitted form. Officers requested clarification on the operation of the silos and the materials they would contain.