KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	2025/44/92676/W
Site Address:	Part of former St Luke's Hospital site, Blackmoorfoot Road, Crosland Moor, Huddersfield, HD4 5RA
Description:	Discharge of details reserved by conditions 12 (retaining walls), 17 (carbon emissions), 18 (crime mitigation strategy), 20 (noise assessment), 21 (materials), 23 (boundary treatments) and 32 (delivery noise management plan) of previous permission 2023/91405 for erection of foodstore (Class E) with associated access, parking, servicing area and landscaping
Recommending Officer:	Ellie Thornhill

DECISION – Discharge of Condition – Issue Split Decision

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Nick Hirst

AUTHORISED OFFICER

Date: 02-Feb-2026

Officer report

Application: 2025/92676

Site: Part of former St Luke's Hospital site, Blackmoorfoot Road, Crosland Moor, Huddersfield, HD4 5RA.

Proposal: Discharge of details reserved by conditions 12 (retaining walls), 17 (carbon emissions), 18 (crime mitigation strategy), 20 (noise assessment), 21 (materials), 23 (boundary treatments) and 32 (delivery noise management plan) of previous permission 2023/91405 for erection of foodstore (Class E) with associated access, parking, servicing area and landscaping.

Condition 12: Retaining Walls

> *12. Prior to development commencing, a scheme detailing locations and including cross sectional information together with the proposed design and construction details for all new retaining walls / building retaining walls adjacent to the existing / proposed highways shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be undertaken in accordance with the approved details, which shall thereafter be retained.*
> ***Reason:** To ensure the stability of retaining structures on site, for the safe and efficient operation of the highway and to comply with Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure the necessary design has been secured prior to relevant works being undertaken.*

In support of condition 12 the following document has been submitted:

- Proposed Retaining Wall Elevation (reference P503 rev A)

Consultation Responses

KC Highway Structures – Response received 13/10/2025:

> *I would like to advise that planning Condition 12 (retaining walls) cannot be discharged pending the formal technical approval of the design of proposed retaining walls adjacent to the existing highway (via the submission of an AIP: Approval In Principle).*

Assessment

The submitted information is considered insufficient to demonstrate compliance with the technical requirements of Condition 12. This aligns with the latest comments from the Highways Structures Team, who concur that the information submitted is insufficient to discharge Condition 12.

Therefore, in the absence of sufficient detailed information and the corresponding review, in order to assess the structural integrity of the proposed

retaining wall adjacent to the highway, along with its design and materials, it has not been demonstrated that the details would secure the safe and efficient operation of the highway. As such officers are unable to recommend that the submitted details be approved.

Condition 17: Carbon Emissions

> *17. Prior to above ground works commencing, details of insulation, on-site microgeneration, or other measures to be incorporated into the development to reduce carbon emissions associated with it shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be incorporated into the development during construction and shall thereafter be retained as such.*
> *Reason: To ensure that the proposed development contributes to the council's target of achieving 'net zero' carbon emissions by 2038 and thereby reducing the causes of climate change, and to accord with the aims of Policy LP24(d) of the Kirklees Local Plan.*

In support of condition 17 the following document has been submitted:

- Energy Efficiency Measures Statement (reference: 25-4821)

Assessment

The submitted report sets out a number of energy efficiency, water reduction and waste reduction measures which are to be incorporated into the site. These include:

Fabric Performance, Thermal Mass and Solar Shading

The building has been designed to ensure fabric thermal performance, to reduce the heat lost during the winter months and to allow for conductive heat gains during the summer months. This would be achieved by including a high-performance glazing system.

Paragraph 2.1.2 also sets out "*the concrete floor slab across the store has been specified to give a relatively high thermal mass, which will assist in reducing internal temperature fluctuations, due to external temperature variations."*

With regard to solar shading, the store has been designed with an external overhang which in combination with the high-performance curtain walling, and internal blinds, would help ensure mechanical cooling loads, energy consumption and carbon emissions are minimised.

Photovoltaics (PV)

The store would be provided with a 180kWp PV system, which maximises the available roof area, as shown in Fig 3, of the submitted report.

The PV system briefly comprises of:

• 396 x JA Solar 455W modules with a maximum efficiency of 22.8%.
• 1 No Huawei 115kW inverter, and
• 2 No Huawei 30kW inverters.

The PV system would be installed, tested, commissioned and monitored by Lidls Energy Team.

Figure 3 shows the location of the PV panels on the roof.

Given the nature of the site, and the design of the food store, officers do not consider the installation of PV panels to have a negative impact upon visual and residential amenity. Officers are also satisfied that there would be no material impact on the nearby heritage assets, given their relationship with the site and the sloping nature of the proposed roof form.

With regard to highway safety, given the relatively small scale nature of the site, officers do not consider the proposed PV panels to have a detrimental impact on drivers safety when considering glint and glare.

Mechanical Ventilation Systems

The Sales Area would be heated, cooled and ventilated by a centralised air handling unit (AHU) with heat recovery. The heat recovery device in the AHU is a thermal wheel which has an efficiency greater than 80% (as set out under paragraph 2.3.1) The back of the house rooms would be ventilated by a smaller unit.

Supply and extract fans would be provided for cold roof voids, the customer toilet and bakery which would be driven by an electric motor.

Air Source Heat Pumps

A number of heat pumps are to be installed for the sales area, warehouse, back of house and IT room. These include Variable Refrigerant Volume (VRV) 2-pipe heat pumps and VRV heat pump outdoor units. Manufacturers specifications are also provided, which states that that the heat pumps exceed standard minimum efficiencies.

Given the location of the air source heat pumps to the rear of the building, officers are satisfied that there would be no material harm to the visual amenity of the site or wider area. The air source heat pumps would also be relative to the size and scale of the building.

Low Energy Lighting and Controls

The internal lighting throughout the store would be energy efficient LED luminaires, which range from 105 to 170 luminaires. Paragraph 2.5.1 outlines that the LED luminaires have very low energy consumption and a life

expectancy exceeding that of conventional light bulbs. This would reduce both energy use and waste.

The report outlines that the lighting would be fully dimmable or controlled by photo-electric sensors. Lighting control throughout the warehouse and all side rooms would be by infra-red motion sensors. The lighting would only turn on, when the rooms are occupied.

External lighting

The external lighting throughout the car park would use energy efficient LED heads. All external lighting would be automatically controlled by the Building Management System and outside photo-cell sensor, to prevent operation during daylight hours.

Other measures include a Building Energy Management System, Energy Sub-Metering, Water Conservation, Waste and Recycling.

In light of the above, Officers are satisfied with the carbon reductions measures to be incorporated into the building and the site.

However, the condition has an ongoing requirement, preventing full discharge at this stage. A note of the ongoing requirements is recommended to be included in the council's decision notice.

Condition 18 – Crime Mitigation Strategy

> *18. Prior to above ground works commencing, a Crime Mitigation Strategy shall be submitted to, and approved in writing by, the Local Planning authority. The strategy shall detail the development's measures to mitigate and protect from crime, giving due regard to boundary treatment, lighting, glazing specification, means of locking, alarms, and vehicle storage. Thereafter, the approved crime mitigation measures shall be implemented on site, prior to the development being occupied, and shall thereafter be retained.*
> ***Reason:** To mitigate the harmful impacts of crime, and the perception of crime, in the interest of residential amenity and to comply with Policy LP24 of the Kirklees Local Plan.*

In support of condition 18 the following document has been submitted:

- Proposed Crime Prevention Site Plan (reference: P422)

<u>Consultation Responses</u>

KC Crime Prevention – Response Received 20/10/25:

> *I have reviewed the following document: - Proposed Crime Prevention Site Plan, drawing number P422 dated August 2023. Condition discharged.*

Assessment

The crime prevention measures include the installation of ANPR cameras, lighting to pedestrian areas/cycle parking, stainless steel pedestrian protection bollards, gated access to the reduce unwanted public access and defensible planting.

Officers concur with the conclusions made by KC Crime Prevention and recommend that the details of Condition 18 are approved. However, the condition has an ongoing requirement, preventing full discharge at this stage. A note of the ongoing requirements is recommended to be included in the council's decision notice.

Condition 20: Noise Assessment

> *20. Prior to the above ground works commencing, a further/addendum noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:*
>
> *• An assessment of all noise emissions from the car parking area of the proposed development;*
> *• Details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises; and*
> *• A written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation.*
>
> *The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such measures shall be thereafter retained.*
> ***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.*

In support of condition 20 the following document has been submitted:

- Noise Impact Assessment (reference: NIA/10533/22/10679/v6/Blackmoorfoot Road, Lidl)
- Boundary treatment plan (reference: P500 rev A)

Consultation Response

KC Environmental Health – Response Received 14/10/25:

> *The submitted information is accepted. However, we recommend this condition is not discharged until the mitigation measures recommended*

within the Noise Impact Assessment authored by ENS dated 19 August 2025 Ref NIA/10533/22/10679/v6/Blackmoorfoot Road, Lidl are implemented and retained thereafter.

Assessment

The report concludes by stating that the ambient noise climate in the vicinity of the application site is due to road traffic on Blackmoorfoot Road and the wider surrounding road network.

An assessment of the noise impact from the proposed Lidl food store has been undertaken and mitigation measures have been recommended. These include but are not limited to, the installation of a 2.4m high timber fence between the loading bay and the nearest noise sensitive properties and deliveries to the food store being restricted to daytime hours only.

The location of the acoustic barrier is shown on the submitted boundary treatment plan and would sit adjacent to the southern boundary fence with the residential properties along Turnstone Way. Officers note that the assessment of the barrier both visually and residentially, has been undertaken as part of the original application, as set out within paragraphs 10.42 (visual amenity) and 10.69 (residential amenity) of the committee report:

10.42 For boundary treatments, where the site adjoins existing residential properties, the existing fencing is to be mostly retained. This consists of between 1.8 and 2m close boarded timber fencing. However, for properties along the south and southeast boundary, the fencing is proposed to be increased to 2.4m acoustic fencing, to mitigate potential noise pollution (as detailed in paragraph 10.69). This would be set back from the retaining wall and, from such a distance, the additional 0.4 or 0.6m is not considered to have significant urban design implications.

10.69 The proposal states that, in order to screen the neighbouring properties closest to the loading bay from the effects of the loading bay, a 2.4m high solid timber fence must be installed along the southeastern and southern sites boundaries stating the base of the fence should be on top of the proposed retaining wall. The visual implications of this fence are considered in paragraph 10.42 above. Officers accept the methodology and proposed mitigation as a suitable means to control noise. With regard to the fence increasing in height, as it would be set to the rear of their properties and to the north, officers do not anticipate this to lead to harmful overbearing or overshadowing for residents.

As such, Officers concur with the conclusions made by KC Environmental Health and recommend that the details of Condition 20 are approved. However, Condition 20 has an ongoing requirement, preventing full discharge at this stage. A note of the ongoing requirements is recommended to be included in the council's decision notice.

Condition 21: Materials

21. Prior to their use, details of all the external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The proposed details shall adhere to the information shown on plan ref. P210 rev. C. The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.
***Reason**: In the interests of the visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.*

In support of Condition 21 the following documents have been submitted:

- External elevations (reference: T200 rev C)
- Proposed elevations (reference: P211)

For the walls, a natural stone is proposed (Hard Yorkstone from Crossland Hill Quary - Crosland Hill - Johnsons Wellfield) along with white and grey cladding (ArcelorMittal module panelling in RAL 9006 and 9010) and a glazed curtain wall. The doors would be a powder coated steel in dark grey. To the roof would be constructed from a composite PIR roof panel (Ondatherm 1001).

Officers would like to acknowledge and welcome the use of the locally sourced high quality natural stone as this would help reduce emissions to the application site.

Furthermore, Officers consider the materials pursuant to Condition 21, to be acceptable and are hereby approved. However, Condition 21 has an ongoing requirement, preventing full discharge at this stage. A note of the ongoing requirements is recommended to be included in the council's decision notice.

Condition 23: Boundary treatment

23. Prior to the installation of any boundary treatment and prior to the occupation of the building, a boundary treatment strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include typical elevations for the boundary treatment(s) proposed, the colour and materials composition of the boundary treatments set out in approved plan P416 rev. E. The boundary treatments shall be installed in accordance with the approved boundary treatment scheme, prior to the development being brought into use, and shall thereafter be retained.
***Reason**: In the interests of visual amenity in accordance with Policy LP24 Design of the Kirklees Local Plan.*

In support of Condition 23 the following document has been submitted:

- Proposed Boundary Treatment Elevations (reference: P500 rev A)

Consultation Response

KC Crime Prevention – Response Received 20/10/25:

> *I have reviewed the following document: - Proposed Boundary Treatment Elevations, drawing number P500 dated August 2025. Condition discharged.*

Officer note: Since KC Crime Prevention's original comments, the boundary treatment plan has been updated to show the 2.4 acoustic fence to the southern boundary.

Assessment

The boundary treatment plan includes:

- A 0.6m high timber knee rail to Blackmoorfoot Road (north-western boundary)
- A stone retaining wall with a 1.1m high mental fence/guarding on top to the south western boundary and the majority of the south eastern boundary.
- A 1.8m timber fence to eastern boundary.
- A 2.4m high acoustic fence
- A number of security gates are also proposed around the site.

Officers consider the boundary treatment to be acceptable and appropriate for the site, with the height of the retaining wall been approved as part of the original application 2023/91405. As such, Condition 23 can be approved. However, Condition 23 has an ongoing requirement, preventing full discharge at this stage. A note of the ongoing requirements is recommended to be included in the council's decision notice.

Condition 32: Delivery Noise Management Plan

> *32. Prior to the hereby approved development being brought into use, a Delivery Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail the control measures that will be taken to ensure that excessive noise does not arise from the deliveries and the actions that will be taken to prevent a loss of amenity. The approved Delivery Noise Management Plan shall thereafter be adhered to.*
> ***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.*

In support of condition 32 the following document has been submitted:

- Noise Impact Assessment (reference: NIA/10533/22/10679/v6/Blackmoorfoot Road, Lidl)

Consultation Response

KC Environmental Health – Response Received 14/10/25:

> *A delivery management plan is shown in Appendix 5 which covers the approach to the store, yard activities, unloading/reloading and departure from the store and this is accepted.*

Assessment

The plan sets out the different stages to cover the delivery process. It confirms that there shall be no deliveries or dispatches from the premises outside of the hours Monday to Saturday 08:00 to 22:00 and Sunday 10:00 to 18:00.

The recommendations set out within the plan are accepted by Planning Officers and KC Environmental Health and therefore the details of Condition 32 are approved. However, Condition 32 has an ongoing requirement, preventing full discharge at this stage. A note of the ongoing requirements is recommended to be included in the council's decision notice.

Summary

The following conditions may have their details approved:

- condition 17 (carbon emissions)
- condition 18 (crime mitigation strategy)
- condition 20 (noise assessment)
- condition 21 (materials)
- condition 23 (boundary treatments)
- condition 32 (delivery noise management plan)

The following condition cannot have their details approved:

- condition 12 (retaining walls)

Recommendation: Split decision

Report Dated: 05/01/2026

Recommended Decision Notice Text

Condition 12: Retaining Walls

Pursuant to Condition 12, you have submitted:

- Proposed Retaining Wall Elevation (reference P503 rev A)

The latest comments from the Highways Structures Team are that the information submitted is insufficient to discharge Condition 12. Therefore, in order to assess the structural integrity of the proposed retaining wall adjacent

to the highway, along with its design and materials, a technical report is required.

As such, this condition cannot be discharged at this time.

Condition 17: Carbon Emissions

Pursuant to Condition 17, you have submitted:

- Energy Efficiency Measures Statement (reference: 25-4821)

The carbon reduction measures to be incorporated into the building and the site have been considered acceptable for the initial requirements of Condition 17 and is hereby approved.

Notwithstanding the above, please note that Condition 17 has the below requirement which must be adhered to, to ensure ongoing compliance with the condition:

> *The approved measures shall be incorporated into the development during construction and shall thereafter be retained as such.*

Condition 18 – Crime Mitigation Strategy

Pursuant to Condition 18, you have submitted:

- Proposed Crime Prevention Site Plan (reference: P422)

The crime prevention measures have been considered acceptable for the purpose of Condition 18 and can be approved.

However, please note that Condition 18 has the below requirement which must be adhered to, to ensure ongoing compliance with the condition:

> *The approved crime mitigation measures shall be implemented on site, prior to the development being occupied, and shall thereafter be retained.*

Condition 20: Noise Assessment

Pursuant to Condition 20, you have submitted:

- Noise Impact Assessment (reference: NIA/10533/22/10679/v6/Blackmoorfoot Road,Lidl)
- Proposed Boundary Treatment Elevations (reference: P500 rev A)

The measures proposed within the Noise Impact Assessment have been considered acceptable for the purpose of Condition 20 and can be approved.

Notwithstanding the above, please note that Condition 20 has the below ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

> *The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such measures shall be thereafter retained.*

Condition 21: Materials

Pursuant to Condition 21, you have submitted:

- External elevations (reference: T200 rev C)
- Proposed elevations (reference: P211)

The proposed materials are considered acceptable and are hereby approved. However, please be aware that condition 21 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

> *The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.*

Condition 23: Boundary treatment

Pursuant to Condition 23, you have submitted:

- Proposed Boundary Treatment Elevations (reference: P500 rev A)

Officers consider the boundary treatment to be acceptable and is hereby approved. However, please be aware that Condition 23 has the following ongoing requirement, which must be adhered to, to ensure ongoing compliance with the condition:

> *The boundary treatments shall be installed in accordance with the approved boundary treatment scheme, prior to the development being brought into use, and shall thereafter be retained.*

Condition 32: Delivery Noise Management Plan

Pursuant to Condition 32, you have submitted:

- Noise Impact Assessment (reference: NIA/10533/22/10679/v6/Blackmoorfoot Road,Lidl)

The Delivery Noise Plan set out within Noise Impact Assessment is considered acceptable for the initial requirements of Condition 32 and is hereby approved.

Notwithstanding the above, please note that Condition 32 has the below ongoing requirement which must be adhered to, to ensure ongoing compliance with the condition:

> *The approved Delivery Noise Management Plan shall thereafter be adhered to.*