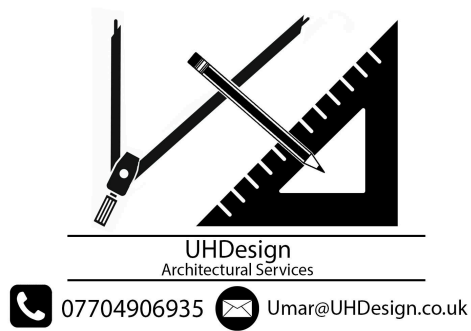




Variation of Conditions - Opening Hours

Unit 1a, Hillhouse Lane, HD1 6EF, Huddersfield - Shakebees

Change of Condition (Condition 13) – Variation of opening hours from 23:00 to 02:00

Site: Unit 1a, Hillhouse Lane, Huddersfield, HD1 6EF (permission ref: 2019/93483).

Prepared for: Shakebees

Date: August 2025

1. Introduction

This statement supports a formal application to amend Condition 13 of the permission granted under application **2019/93483** so that the approved Class E uses may remain open to customers until **02:00** (instead of the current 23:00). The application relies on the information contained in the delegated officer report and conditions associated with the original permission. The current condition reads:

“The hereby approved uses shall not be open to customers outside of the hours of 07:00 and 23:00 on any day of the week.”

This report explains the justification for the change, assesses potential impacts (principally on residential amenity, noise and highways), and sets out mitigation and suggested conditions to ensure the extended hours would not harm residential amenity or highway safety.

2. Relevant background and planning context

- The site sits within the **Hillhouse Local Centre** and the original officer report found the principle of Class E uses acceptable for this local centre role.
- The original permission included a suite of conditions designed to protect residential amenity, notably:
 - **Condition 12** – requirement for a noise assessment covering all times of day and night and to secure mitigation measures.
 - **Condition 13** – current hours (07:00–23:00).
 - **Conditions 14, 15 and 16** – control deliveries, extract ventilation details and external lighting (all to protect amenity).

These conditions provide the technical framework to manage the impacts of later operation.

3. The proposal

Variation sought: amend Condition 13 so that the premises may be open to customers up to **02:00** daily. All other planning controls on deliveries, noise assessments, extraction equipment and lighting would remain in force (Conditions 12, 14, 15, 16 etc). The applicant’s stated reason is to align trading hours with nearby commercial premises whose operating hours extend to **01:00–02:00**, and to allow the unit to trade competitively in the local evening economy.

4. Assessment of impacts

4.1 Customer activity and noise after 23:00

The nature of the unit's late-night activity is important in assessing impact. After 23:00 the majority of the business's activity is expected to be **deliveries and servicing**, with **very limited walk-in/customers**. This reduces the likelihood of significant late-night footfall and external congregation directly outside the unit.

Mitigating factors:

- The existing **Condition 12** requires a comprehensive noise assessment that covers all times of day and night; the assessment will specifically include predicted impacts for operation until 02:00 and identify any required mitigation (glazing, plant screening, activity controls) which must be implemented.
- Doors to customer areas will be managed so they are not propped open during late-night delivery activity (to reduce noise breakout). Extract/ventilation plant must meet the standards required by Condition 15.

Conclusion: because late activity is predominantly delivery-based rather than increased customer footfall, and because the noise assessment condition and plant/extraction requirements remain in force, the risk of unacceptable disturbance to residents can be controlled through implementation of the mitigation identified by the required technical assessments.

4.2 Parking and highways

The later opening hours do **not** occur during typical daytime/early evening peak parking demand. As such:

- **Parking requirements are not expected to increase.** Deliveries and staff movements at night do not materially change the number of parked customer vehicles during peak hours.
- The approved parking layout and access remain unchanged; therefore there is no alteration to the physical highway arrangement or the number of parking spaces.

Conclusion: on the basis that later operation is off-peak for customer parking demand, the proposed variation is not expected to materially increase parking stress or cause highway safety issues.

4.3 Crime & anti-social behaviour

The risk of increased crime or anti-social behaviour as a result of the later hours is judged to be low for the following reasons:

- **Many local businesses** within Hillhouse Local Centre operate to similar late hours (01:00–02:00) and there has been **no evidence from local reporting** of increased anti-social behaviour associated with these trading hours.
- The nearby businesses that already open to **01:00–02:00 are frequently closer to, or directly adjoined to, residential properties than Unit 1a**. Despite that closer proximity, there has been no pattern of reported increased anti-social behaviour linked to their operating hours. This strengthens the case that permitting Unit 1a to open to 02:00 is unlikely to generate new or greater anti-social activity.
- The unit faces the main road and benefits from **good existing street lighting and visibility**, which reduces concealed areas where anti-social behaviour can occur.
- Security and crime-prevention measures required by the permission (CCTV, lighting design and ATM protection where applicable) remain in place and would continue to mitigate risk.

Conclusion: having regard to the operation of other local businesses (many of which are closer to residents) and the site's visible frontage and lighting, the extension to 02:00 is not expected to materially increase crime or anti-social behaviour.

5. Mitigation

1. **Deliveries/servicing controls (Condition 14):** deliveries will continue to be controlled in accordance with the condition; if any variation is required this would be subject to agreement with the Local Planning Authority.
2. **External lighting (Condition 16):** lighting design and hours are controlled to avoid glare and nuisance while maintaining good visibility to deter anti-social behaviour.
3. **Security measures (Condition 4 and any relevant requirements):** CCTV and other crime-prevention measures to remain in place.

Because the late activity is delivery-centred and the technical controls above remain, the council will still be able to require remediation where impacts arise (for example by requiring further mitigation or restricting specified activities).

6. Revised condition

The hereby approved uses shall not be open to customers outside of the hours of **07:00 and 02:00** on any day of the week.

Reason: To safeguard the amenity of nearby residents and to ensure the use is compatible with the local centre.

7. Conclusion

- The unit at **Unit 1a, Hillhouse Lane, HD1 6EF** seeks a modest variation to Condition 13 so trading to **02:00** is permitted.
- The later hours are principally to accommodate deliveries and are not expected to generate significant additional customer parking demand during peak times.
- **Nearby businesses that operate to 01:00–02:00 are often closer to or adjoined to residential properties than Unit 1a; despite their closer proximity, there has been no evidenced increase in anti-social behaviour linked to their hours or complaints from residential dwellings.** This comparison supports the conclusion that permitting Unit 1a to open to 02:00 is unlikely to create new amenity or anti-social behaviour issues.
- The retained technical conditions provide the mechanism to identify and require mitigation prior to late-night operation.
- On the basis above, and with the revised Condition), the extended hours to 02:00 can be accommodated without causing unacceptable harm to residential amenity, highway safety or crime prevention objective