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:	**2026/62/90168/E**
Site Address:	former Commercial Hotel, 125, Wellington Street, Batley, WF17 5TH
Description:	Erection of commercial unit for vehicle software diagnostics centre
Recommending Officer:	Danielle Cooper

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 25-MAR-2026

Officer Report
Site Description

Former Commercial Hotel, 125 Wellington Street, Batley, WF17 5TH

The application relates to a vacant plot of land on the junction of Wellington Street and Dark Lane in Batley. The site used to serve a public house and associated parking. The area surrounding the site is predominantly residential with a small number of commercial units dispersed between the residential dwellings.

Description of Proposal

The application is seeking planning permission for the erection of a commercial unit for a vehicle software diagnostics centre.

The scheme proposes a single storey, pitched roofed building to the eastern part of the site. The building would be 22m wide, 8m deep and would have a total roof height of 6.5m (4.5 to the eaves). There would be three large openings in the front to allow access for vehicles. It would be finished in aluminium cladding above a Yorkshire stone plinth. Aluminium cladding is also proposed to the roof.

Parking would be proposed for 10 vehicles to the northern part of the site with an access off Wellington Street to the north.

History of Negotiations

The officer raised concern in regard to the design, scale and location of the building having a negative impact upon visual amenity. The agent revised the scheme by improving the design and scale. The officer considered the revised scheme acceptable as it widely reflected the proposal as approved under the 2024/92495 application.

Relevant Planning History

2025/91419 - Erection of commercial unit (vehicle software diagnostics centre) with 3 flats above – Refused.

Reasons:

1. The proposed building, by virtue of siting, scale and design, would result in an incongruous development which would not sympathetically integrate into the street scene, to the detriment of visual amenity. The proposal therefore fails to comply with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

2. The proposed development by virtue of height and design, would result in an overbearing and oppressive impact on the occupants of 6 and 9 Dark Lane, to the detriment of the residential amenity of the occupiers. In addition, the proposed residential flats would fail to provide adequate floor space for the future occupiers. The scheme therefore fails to ensure a high standard of amenity to existing and future occupants, contrary to Policy LP24(b) of the Kirklees Local Plan, paragraph 135(f) of the National Planning Policy Framework and principle 16 of the Housebuilders Design Guide SPD.

3. The incorrect version of the Biodiversity Net Gain Metric has been submitted. Given the insufficient information provided regarding Biodiversity Net Gain, the impact on biodiversity cannot be suitably assessed. The submission of a correct and accurate Biodiversity Net Gain metric is a statutory requirement under the Environment Act 2021. It has not been demonstrated that the development will provide the require 10% Biodiversity Net Gain. Given the omission of an acceptable Biodiversity Net Gain Metric, the proposal is, thus, contrary to Policy LP30 of the Kirklees Local Plan, the Environment Act 2021, Chapter 15 of the National Planning Policy Framework and guidance within the National Planning Policy Guidance.

4. The proposed development would not provide sufficient off-street parking provision for the proposed commercial and residential use and therefore would result in harm to the efficiency and safety of the highway network. The proposed development therefore fails to comply with LP21, LP22 and LP24 of the Kirklees Local Plan and paragraph 116 of the NPPF as well as the aims of the Highways Design Guide SPD.

Officer comment: *Since the previous refusal, the height and scale of the building has been revised and is therefore considered acceptable. Whilst the location of the proposal is widely within the same location, as the height and bulk of the building has been reduced, its location is considered acceptable. Matters relating to residential amenity, highway safety and Biodiversity Net Gain (BNG) have also been addressed under this application.*

2024/92495 – Erection of commercial unit for vehicle software diagnostics centre – Approved

2022/92199 - Change of use of waste land to car sales forecourt and erection of sales office and valet store - Approved

2020/90221 - Discharge of condition 12 (demolition) of previous permission - Approved

2019/91326 - Demolition of former public house and erection of 10 apartments - Approved

2019/91326 - Demolition of former public house and erection of 10 apartments - Section 106 full permission.

Consultations

Below is a summary of the consultation responses received:-

KC Highways Development Management – No objections

West Yorkshire Police Designing Out Crime Officer – No objections

KC Ecology – No objections

Representations

The application was advertised by site notice. Final publicity expired on 19th February 2026. No representations have been submitted.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 unallocated on the Kirklees Local Plan (2019).

Kirklees Local Plan (KLP):

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP 3 – Location of new development
- LP 21 – Highway safety and access
- LP 22 – Parking
- LP 28 – Drainage
- LP 51 – Protection and improvement of local air quality
- LP 52 – Protection and improvement of environmental quality
- LP 53 – Contaminated and unstable land

Supplementary Planning Documents (SPD):

Kirklees Council has adopted (as of 29th June 2021) supplementary planning documents for guidance on house building, house extensions and open space, to be used alongside existing SPDs previously adopted. They are now being considered in the assessment of planning applications, with full weight attached. This guidance indicates how the Council will usually interpret its policies regarding such built development, although the general thrust of the advice is aligned with both the Kirklees Local Plan (KLP) and the National Planning Policy Framework (NPPF), requiring development to be considerate in terms of the character of the host property and the wider street scene.

- Highways Design Guide SPD

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th 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 5 – Delivering a sufficient supply of homes
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment

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.

Assessment

The following matters are considered in the assessment below –

1) Principle of development
1) Impact on visual amenity
2) Impact on residential amenity
3) Impact on highway safety
4) Other matters
5) Representations
6) Conclusion

1. Principle of Development

The site is without notation on the Kirklees Local Plan. Policy LP1 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 National Planning Policy Framework.

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

In this case, the application site is unallocated within an area which is a mix of residential and commercial use. There are extant permissions on the site for the “Change of use of waste land to car sales forecourt and erection of sales office and valet store” under application 2022/92199, the “Erection of commercial unit for vehicle software diagnostics centre” under application 2024/92495, and the site historically served a public house. Therefore, the principle of a commercial use on this site has already been established.

The proposal would represent a more effective use of land than the current, derelict site, contributing positively to local economic growth through creation of three, full-time equivalent employment opportunities. With these factors in mind, officers are satisfied that the proposal accords with chapters 6 and 9 and 11 of the NPPF. The principle of re-using/ re-developing the land could be considered favourably, so long as it contributes to the improvement of the environment and ensures safe and healthy living conditions of the neighbouring residents.

The site is unallocated in the Kirklees Local Plan. As such, in the broadest form, the principle of development of this site is considered acceptable in accordance with Local Plan Policies LP1 and LP2. However, the development must now be assessed against all material considerations.

2. Impact on Visual Amenity

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) provides a principal consideration concerning design which states: “The creation of high-quality 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”.

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity. LP24 states that proposals should promote good design by ensuring: “a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape…” Chapter 12 of the NPPF supports this.

The area surrounding the site is predominantly residential, however there is a large commercial unit to the north of the site and some further to the south. It is also noted that there is an extant permission for commercial use on the site and the site was a commercial public house prior to demolition. In terms of visual appearance, the proposed site is a prominent location on the corner of the Wellington Street and Dark Lane. The site is currently derelict and as such bringing it back into use would be beneficial in terms of visual amenity by tidying up the site.

The single storey building proposed as part of this development covers a large footprint. Officers do however consider the site allows for this scale of building without appearing overdeveloped.

Whilst the location of the building along the eastern section of this site will result in the building appearing prominent within the street scene, the building, as amended, will be of the same footprint and scale as that approved under the 2024/92495 planning application. The location on balance is considered acceptable and would not warrant a refusal.

The proposed building would be pitched roofed which would be in keeping with the general character of surrounding area. The applicant proposes aluminium cladding above a stone plinth to the walls and aluminium cladding to the roof. These are the materials that were approved under the 2024 application and as such there is no reason to raise concern regarding the materials proposed. The agent has also provided sample materials of the building via email on the 18th March 2026. It is considered that on balance the proposed use of aluminium cladding is acceptable and will not cause significant detrimental harm to the character and appearance of the immediate area. However, it is considered necessary in this case that a condition be imposed to ensure the sample materials are used in the construction the building.

The site plan shows a 1m high Yorkshire Stone wall to the perimeter of the site which would be in keeping with the general character of the area and is therefore considered acceptable.

Having taken the above into account, subject to condition, the proposed development is considered to not cause any significant harm to the visual amenity, complying with Policy LP24 of the Kirklees Local Plan (a) in terms of the form, scale and layout and the aims of chapter 12 of the National Planning Policy Framework.

3. Impact on Residential Amenity

Local Plan Policy LP24 states that proposal should ‘minimise impact on residential amenity of future and neighbouring occupiers’. Further to this, Chapter 12 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

The application site is set directly adjacent to three dwellings, 127, 133 and 135 Wellington Street. Nos. 6 and 9 Dark Lane are also located within the southern part of the application site. There are openings in the side elevation of 4 of these properties which face directly onto the site.

Given the nature of the proposed use of the building, noise is a concern. No detail has been provided on the sound insulation values of the construction nor the use of any fixed mechanical plant either internally or externally. Whilst the submitted Design & Access Statement states there will be very low noise emissions, the use class will permit noisier works. As such, in the event that planning permission is approved, a condition is recommended for the submission of a Noise Impact Assessment to be submitted and agreed in writing prior to construction commencing.

The proposed building would be located 6.4m from the front elevation of no.9 Dark Lane. Due to the triangular shape of this dwelling, the primary openings are in the northern elevation which fronts the site. The proposed separation distance could cause overshadowing and overbearing harm on the occupants of no.9. The proposed blank gable would have some overbearing impact however given the scheme would be single storey in height, the separation distance proposed is considered acceptable. It is noted that historically there was a row of terraces in a similar location to the proposed structure which would have likely been two storeys thus having a greater impact on the occupants. As the proposed building would be directly north of no.9, on balance it is considered that no significant overshadowing harm is considered to occur.

No.135 Wellington Street has a blank gable adjacent to the application site and as such no overlooking or overbearing harm is considered to be caused to the amenity of the occupants.

The building is situated 18m from the side elevations of No.s 127, 133 Wellington Street. Given the separation distance, there are no concerns in regard to overbearing or overshadowing impacts.

The proposed development would likely require external lighting to illuminate the products and for security. No supporting information has been included with the application in relation to artificial lighting. External artificial lighting can have the potential to result in loss of amenity to nearby sensitive receptors by way of intrusive light and glare. As such, should planning permission be approved, it is recommended that a condition be attached to any decision that details of external lighting are submitted to, and approved by the council, to protect the amenity of nearby sensitive receptors.

The agent has confirmed the hours of use are 09:00 to 17:00 hours weekdays and 09:00 to 14:00 on Saturdays. Due to proximity to neighbouring properties, the hours of use are recommended to be restricted by condition to protect the amenity of nearby sensitive receptors.

Taking the above into consideration, subject to conditions, the proposed development is considered to not cause significant harm to the amenity of neighbouring occupiers and as such would not have an adverse and

detrimental impact on residential amenity and the health and wellbeing of the occupiers. Complying with LP24, LP51 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

4. Impact on Highway Safety

Local Plan Policy LP21 states that 'All proposals shall:

a. ensure the safe and efficient flow of traffic within the development and on the surrounding highway network…
e. Take into account the features of surrounding roads and footpaths and provide adequate layout and visibility to allow the development to be accessed safely;'

This is supported by Chapters 9 and 12 of the NPPF and guidance within the Highways Design Guide SPDs. KC Highways Development Management have also been consulted as part of this application.

The application site is the former now demolished Commercial Hotel located at the junction of Wellington Street and Dark Lane. The proposals show a new three bay commercial unit located to the rear of the site with a forecourt to the front and 10 off-street parking spaces. Access is via the existing access onto Wellington Street.

A cycle store and bin store are shown to the sides of the proposed unit.
There are existing waiting restrictions to the Wellington Street and Dark Lane junction to control on street parking.

Given that sufficient off-street parking is shown to be provided, and an existing access is utilised, KC Highways Development Management have no objection to the proposed development.

KC Highways Development Management have recommended a condition regarding the surface and drainage of the car park. This is considered necessary in the interest of highway safety and to ensure a satisfactory layout is achieved and is recommended to be conditioned should planning permission be approved.

In conclusion, subject to condition, the proposed development complies with LP21, LP22 and LP24 of the Kirklees Local Plan and paragraph 116 of the NPPF as well as the aims of the Highways Design Guide SPD.

5. Other Matters

Drainage

Provision of an adequate system of foul water drainage is a requirement of the Building Regulations and the applicant should contact their Building Control Provider for further information.

Contaminated land

The site of the proposed development is not on land identified as potentially contaminated; however, it is located close to land identified as potentially contaminated. As such it is recommend a condition is added in regard to unexpected contamination to protect the workforce and future users of the site.

Ecology

Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicant has submitted a completed BNG metric which demonstrates that the proposal would result in 14.67% BNG through the creation of habitats of low to medium distinctiveness. KC Ecology have reviewed the information and are satisfied that the calculations and metric address the previous reason for refusal.

The submitted information is therefore considered acceptable in terms of ecology and would comply with Policy LP30 of the Kirklees Local Plan and Principle 9 of the Kirklees Housebuilders Design SPD.

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. The West Yorkshire Police Designing Out Crime Officer reviewed the proposal and consider it 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. In the event that planning permission be approved, a condition to this effect is recommended.

Subject to condition the proposal is considered to be acceptable in this regard.

6. Representations

None received.

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, national planning policy framework and other material considerations. It is considered that the development would constitute sustainable development and would not harm caused to residential amenity and highway safety.

Recommendation: **Approval**

Decision Authorisation - Delegated Powers
Application Number: 2026/90168
Officer Recommendation: Approve
Conditions:

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 LP7, LP20, LP21, LP22, LP24, LP28, LP30, LP33, LP51, LP52 and LP53 of the Kirklees Local Plan, the adopted Housebuilders SPD and Chapters 5, 8, 9, 11, 12, 14 and 15 of the National Planning Policy Framework.

3. The materials used in the development hereby approved shall be carried out in accordance with the submitted sample materials submitted via email on

the 18th March 2026 by the agent. These materials shall be thereafter retained.
Reason: In the interests of protecting the visual amenity and in accordance with Policies LP1, LP2 & LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

4. Before construction work commences, a 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 proposed development
- details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises
- 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.

5. The use hereby permitted shall not be open to customers outside the hours of:

- 0900 to 1700 Monday to Friday
- 0900 to 1400 Saturday and

There shall be no deliveries to, or dispatches from the premises outside these hours.
Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

6. In the event that contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks 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. Groundworks 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.

7. The development shall not be brought into use until a scheme has been submitted to, and approved in writing by, 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:

1. Provision of a video surveillance and/or Closed Circuit (CCTV) system
1. 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).
2. Access control measures

The approved scheme shall be implemented before the development is first occupied and retained thereafter.
Reason: to ensure that prior to the commencement of development 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, HFT5 of the Council's adopted Hot Food Takeaway SPD and the policies contained within Chapter 12 of the National Planning Policy Framework.

8. The development shall not be brought into use until the car park hereby approved has been laid out, surfaced and marked out into bays in accordance with the approved plan "2611-2A". All areas indicated to be parking areas must be laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or any successor guidance. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order) these areas shall be so retained, free of obstructions and available for parking thereafter.
Reason: To ensure a satisfactory layout and in the interests of visual amenity and traffic safety, to mitigate flood risk arising from surface water run-off, to ensure adequate space within the site for vehicle movements and parking and

to comply with Policies LP24 and LP28 of the Kirklees Local Plan and Chapters 9 and 12 of National Planning Policy Framework.

9. Notwithstanding the approved drawings, the development shall not be brought into use until secure, covered, cycle parking facilities have been provided in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved scheme has been implemented. The approved scheme shall thereafter be retained and maintained for the lifetime of the development.
Reason: To comply with the Council's sustainability objectives set out in the National Planning Policy Framework and Policies LP21 and LP22 of the Kirklees Local Plan.

10. Notwithstanding the approved drawings, the development shall not be brought into use until details of storage and access for collection of wastes from the site shall be submitted to and approved in writing by the Local Planning Authority. The works comprising the approved details shall be retained thereafter free of obstructions and available for storage throughout the lifetime of the development.
Reason: In the interests of amenity and highway safety and to comply with the Council's sustainability objectives set out in the National Planning Policy Framework.

11. The development shall not be brought into use until a scheme detailing soft landscaping, scheme including tree/shrub planting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall within the first planting season following the development being brought into use. The development and the works comprising the approved scheme shall be implemented in accordance with the approved phasing. The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives its written consent to any variation. The areas indicated for use as soft landscaping shall be retained as soft landscaped areas for the lifetime of the development and used for no other purpose.
Reason: To ensure that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity to accord with policies LP24 and LP30 of the Kirklees Local Plan and the policies contained within Chapters 12 and 15 of the National Planning Policy Framework.

12. Before the installation of any external artificial lighting commences a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:

a) The proposed hours of operation of the lighting
b) The location and specification of all of the luminaires
c) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.

d) The predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity.
e) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
f) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme.
Reason: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with part 2 and 15 of the NPPF and LP24 of the Local Plan.

NOTE: All noise assessments should be carried out by a competent person. Developers may wish to contact the Association of Noise Consultants http://www.association-of-noiseconsultants.co.uk/ (020 8253 4518) or the Institute of Acoustics http://www.ioa.org.uk (0300 999 9675) for a list of members.

NOTE: The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the "Guidance Notes for the Reduction of Obtrusive Light" by the Institution of Lighting Professionals: 2011 www.theilp.org.uk. The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for an Environmental Zone E3.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Council as Highway Authority is required. You are required to consult the Design Engineer, Flint Street, Fartown, Huddersfield (Kirklees Street Care: 01484 221000) with regard to obtaining this permission and approval of the construction specification. Please also note that the construction of vehicle crossings within the highway is deemed to be major works for the purposes of the New Roads and Street Works Act 1991 (Section 84 and 85). Interference with the highway without such permission is an offence which could lead to prosecution.

NOTE: It is the applicant's responsibility to find out whether the work approved by this planning permission requires written approval from the Highways Structures section for works near or abutting highway and any retaining structures. Contact Highways Structures Section on Tel No. 01484-221000 who can advise further on this matter.

NOTE: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have

the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership

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 work may be carried out.

NOTE: It is a requirement of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 that a Biodiversity Net Gain Plan is submitted to, and approved in writing by the Local Planning Authority.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Site Location Plan			20/01/2026
Proposed Block Plan	2611-2A		02/03/2026
Proposed Street Scene Elevations	2611-4		09/03/2026
Proposed Elevations and Floor Plan	2611-3A		02/03/2026
Design and Access Statement			20/01/2026
Application Form			20/01/2026
Preliminary Ecological Appraisal & Biodiversity Accounting Assessment			10/02/2026
Preliminary Ecological Appraisal & Biodiversity Accounting Assessment			20/01/2026
The Statutory Biodiversity Metric			10/02/2026
Sample material email			18/03/2026

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. The officer raised concern in regard to the design, scale and location of the building having a negative impact upon visual amenity. The agent revised the scheme by improving the design and scale. The officer considered the revised scheme acceptable as it widely reflected that the proposal as approved under the 2024/92495 application.

Report Dated: 19/03/2026