Town and Country Planning (Development Management Procedure) (England) Order 2015

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2026/70/90219/E

To: Nicholas Challis,
Spawforths
Junction 41 Business Court
East Ardsley
Leeds
WF3 2AB

For: Louise Glennie, The Metal Store

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby permits:-

VARIATION OF CONDITION 4 (EXTERNAL STORAGE) ON PREVIOUS PERMISSION 2025/92430 FOR CHANGE OF USE FROM FIRE STATION (SUI GENERIS) TO USE CLASS B2/B8 TO ALLOW FOR METALWORK AND THE STORAGE OF METALS

At: CLECKHEATON FIRE STATION, HIGHTOWN ROAD, CLECKHEATON, BD19 5HD

In accordance with the plan(s) and applications submitted to the Council on 23-Jan-2026 together with those plans and application(s) submitted to the Council on 04-Sep-2025 and incorporated into planning permission 2025/92430 granted on 30-Oct-2025 and subject to the condition(s) specified hereunder:-

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, LP7, LP8, 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. No external lighting shall be installed unless and until a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), has been submitted to, and approved in writing by the Local Planning Authority. The lighting scheme will demonstrate how all artificial lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented in accordance with the specifications and locations set out within the Lighting Strategy.
Reason: In the interests of biodiversity and residential amenity in accordance with Policies LP24 & LP30 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

4. Other than within the areas detailed upon submitted drawing Site Plan 20 002 Revision A there shall there be no external storage within the area outlined in the red boundary on drawing 'Location Plan'. External storage within the areas detailed upon submitted drawing Site Plan 20 002 Revision A shall not exceed 3m in height.
Reason: In the interests of Highway safety and visual amenity to accord with policy LP21, LP22 and LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

5. The floorspace of the building and the land detailed on the Proposed Floor Plan, plan reference '004', shall not be used for any purpose other than those falling within use classes B2 and/or B8 of Schedule 1 and/or use class E(g)(iii) of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).
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, LP7, LP8, 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.

6. At no time shall any use falling within use class B2 of Schedule 1 and/or use class E(g)(iii) of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) be undertaken externally and all activities falling within use class B2 of Schedule 1 and/or use class E(g)(iii) of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) shall be undertaken within the building which this application relates.
Reason: In the interests of Highway safety, visual amenity and residential amenity of neighbouring occupiers to accord with policies LP21, LP22 and LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

7. Notwithstanding the submitted details, no activities shall be carried out on the premises, including deliveries to or dispatches from the premises, outside the hours of 8:00 and 17:00.
Reason: To ensure that the proposed development does not cause harmful noise pollution to neighbouring premises in the interest of amenity, an unacceptable increase to vehicular traffic to accord with Policy LP16(b) of the Kirklees Local Plan or have an unacceptable impact on public health in accordance with LP16 of the Kirklees Local Plan and HFT3 of the Hot Food Takeaway SPD and Chapters 12 and 15 of the National Planning Policy Framework.

8.Notwithstanding the submitted details and condition 7 above, no cutting of metal shall be undertaken at the premises outside the hours of 9:00 and 17:00.
Reason: To ensure that the proposed development does not cause harmful noise pollution to neighbouring premises in the interest of amenity, an unacceptable increase to vehicular traffic to accord with Policy LP16(b) of the Kirklees Local Plan or have an unacceptable impact on public health in accordance with LP16 of the Kirklees Local Plan and HFT3 of the Hot Food Takeaway SPD and Chapters 12 and 15 of the National Planning Policy Framework.

NOTE: 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: 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: 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. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

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 13.00 hours, 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 submitted under application 2025/92430	**Reference**	**Revision**	**Date Received**
Location Plan	001	A	4/09/2025
Existing Elevations	003	A	4/09/2025
Existing Floor Plans	002	A	4/09/2025
Proposed Elevations	005	A	4/09/2025
Proposed Floor Plans	004	A	4/09/2025
Planning Statement	D05	A	4/09/2025
Climate Change Statement			4/09/2025
Plans submitted under application 2026/90219			
Proposed site plan	20 002	A Jan 2026	23/01/2026

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 Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Discussions were undertaken in relation to the description (amending from removal to a variation of condition).

Digital Infrastructure: Fibre To The Property (FTTP)

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- Economic prosperity – workforces that are digitally-literate enables business to thrive.
- Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.
- New services – digital delivery can lower costs and provide innovative public and health services more conveniently.

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speeder installation at a later date.

Note: The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

Note: Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost effective provision of fibre infrastructure in the future.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Telephone: (01484) 221550 for more information.

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Where the application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

Appeals to the Secretary of State

- **If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.**
- **If an enforcement notice is served or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within:**

i) 28 days from the date of this notice where the enforcement notice has been served,
ii) 28 days of the date of service of the enforcement notice or,
iii) the specified period starting from the date of this notice,

whichever period expires earlier.

- **If you want to appeal against your Local Planning Authority's decision then you must do so within the specified period, starting on the date of this notice.**

- **The "specified period" is 12 weeks where the development relates to a "minor commercial application" as defined within the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), or 6 months in any other case.**

- **Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://www.gov.uk/appeal-planning-decision. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website https://www.gov.uk/government/organisations/planning-inspectorate.**
- **You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.**
- **The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.**

- **The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.**
- **In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.**

Please note, only the applicant possesses the right of appeal.

Purchase Notices

- **If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.**

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 24-Mar-2026

Signed:



David Shepherd
Executive Director for Place

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2026/70/90219/E.

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

Write to: Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL
