

**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>2026/62/90385/E</b>
Site Address:	McDonalds, Owl Lane, Shaw Cross, Dewsbury, WF12 7RQ
Description:	Installation of three rapid electric vehicle charging stations and ancillary equipment
Recommending Officer:	Nicole Helliwell

**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.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date:** 10 April 2026

## **Officer Report**

**Reference No.** 2026/62/90385/E

**Site Address:** McDonalds, Owl Lane, Shaw Cross, Dewsbury, WF12 7RQ

**Proposal:** Installation of three rapid electric vehicle charging stations and ancillary equipment.

## **Site Description**

The site relates to McDonalds which is located at the junction of Leeds Road A653 and John Ormsby VC Way in Shaw Cross, Dewsbury. The wider area is characterised by residential, and commercial properties of varying materials and architectural styles. The site is not within a conservation area, nor are there any listed buildings or Public Rights of Way (PROW) within close proximity to the site.

## **Description of Proposal**

The application is seeking planning permission for the installation of three rapid electric vehicle charging stations and ancillary equipment. The details of the proposal have been summarised below:

- Three existing parking bays would be utilised to provide three EV charging bays
- The chargers would be positioned behind the kerb line on the raised verge
- A feeder pillar is to be installed on the existing grass verge with the existing slate chippings extended

## **History of Negotiations/Amendments Received**

No amendments were sought or received during the course of the application.

## **Relevant Planning History**

- **2024/93579:** Variation condition 9 (opening hours) on previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. – Removal or Modification of Condition(s)
- **2024/90274:** Discharge condition 8 on previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. [Planning application details | Kirklees Council](#) – Discharge of Condition(s) Refused
- **2023/91087:** Discharge condition 8 (Verification) on previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru facility, car parking, landscaping, play frame, customer order

- displays and associated works. [Planning application details | Kirklees Council](#) - Discharge of Condition(s) Refused
- **2022/92384:** Discharge condition 18 (Nesting Birds) on previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. [Planning application details | Kirklees Council](#) – Discharge of Condition(s) Approved
  - **2022/92299:** Advertisement consent for erection of illuminated totem sign. [Planning application details | Kirklees Council](#) - Advertisement Consent Granted
  - **2022/91267:** Non material amendment to previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. [Planning application details | Kirklees Council](#) – NMA Approved
  - **2022/91266:** Discharge condition 6 and 8 (remediation and verification) on previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. [Planning application details | Kirklees Council](#) - Discharge of Condition(s) Split Decision
  - **2022/91265:** Discharge condition 12 (external lighting) on previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. [Planning application details | Kirklees Council](#) - Discharge of Condition(s) Approved
  - **2022/91264:** Discharge condition 13 (access construction) on previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. [Planning application details | Kirklees Council](#) - Discharge of Condition(s) Approved
  - **2022/91235:** Discharge Condition 15 (Retaining Walls) on previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. [Planning application details | Kirklees Council](#) - Discharge of Condition(s) Approved
  - **2022/91229:** Discharge Condition 5 (Site Investigation) on previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. [Planning application details | Kirklees Council](#) – Discharge of Condition(s) Approved
  - **2022/91029:** Discharge condition 3 (materials) on previous permission 2020/90450 (APP/Z4718/W/21/3285518) for erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. [Planning application details | Kirklees Council](#) - Discharge of Condition(s) Approved

- **2020/90450:** Erection of restaurant with drive-thru, car parking, landscaping, play frame, customer order displays and associated works. [Planning application details | Kirklees Council](#) – Refused (Appeal Upheld)
- **2020/90445:** Advertisement consent for erection of illuminated signs and booth lettering. [Planning application details | Kirklees Council](#) - Advertisement Consent Granted
- **2020/90444:** Advertisement consent for erection of illuminated and non-illuminated signs. [Planning application details | Kirklees Council](#) – Advertisement Consent Granted
- **2020/90443:** Advertisement consent for erection of illuminated sign. [Planning application details | Kirklees Council](#) – Advertisement Consent Granted
- **2016/92953:** Outline application for erection of restaurant and hot food outlets. [Planning application details | Kirklees Council](#) – Conditional Outline Permission
- **2015/93898:** Outline application for erection of restaurant, retail outlet and hotel. [Planning application details | Kirklees Council](#) – Withdrawn
- **2010/92846:** Removal of Condition 3 on previous application ref 2004/90778 for outline application for erection of hotel. [Planning application details | Kirklees Council](#) – Refused
- **2006/92257:** Reserved Matters Application for erection of Hotel with Restaurant. [Planning application details | Kirklees Council](#) – Approval of Reserved Matters
- **2004/90778:** Outline application for erection of hotel. [Planning application details | Kirklees Council](#) – Conditional Outline Permission
- **2000/92074:** Outline application for erection of hotel and B1 office building. [Planning application details | Kirklees Council](#) – Granted under Reg 3 General Regulations

### **Representations**

The application was publicised by site notice, which expired on 16<sup>th</sup> March 2025. As a result of the above publicity, no representations have been received.

### **Parish/Town Council Comments**

Not Applicable.

### **Local Ward Members**

Not Applicable.

### **Consultation Responses**

The following is a brief summary of Consultee advice (more details are contained in the 'Assessment' section of the report, where appropriate):

## KC Highways Development Management – No objection

### **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 Priority Employment Area on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

### **Kirklees Local Plan Policies**

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 3** - Location of New Development
- **LP 8** - Safeguarding Employment Land and Premises
- **LP 13** - Town Centre Uses
- **LP 16** - Food and Drink Uses and the Evening Economy
- **LP 20** - Sustainable Travel
- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 26** - Renewable and Low Carbon Energy
- **LP 30** - Biodiversity & Geodiversity
- **LP 51** - Protection and Improvement of Local Air Quality
- **LP 52** - Protection and Improvement of Environmental Quality
- **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 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 4** - Decision-Making
- **Chapter 6** - Building a Strong, Competitive Economy
- **Chapter 7** - Ensuring the Vitality of Town Centres
- **Chapter 9** - Promoting Sustainable Transport
- **Chapter 12** - Achieving Well-Designed Places

- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16<sup>th</sup> 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.

**Other Guidance Documents:**

- Kirklees Highways Design Guide (2019)
- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)

**Assessment**

**1. Principle of development**

The site is allocated as a Priority Employment Area (PEA45) on the Kirklees Local Plan (KLP). Policy LP1 of the KLP 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 NPPF.

With regard to the land allocation as employment land, LP8 supports development which continues the employment use. Part 1 of the policy states that proposals for re-development for employment generating uses (as defined in the Glossary) in Priority Employment Areas will be supported where there is no conflict with the established employment uses in the area (as defined in the Glossary). Part 2 of the policy outlines the limitations if a proposed scheme is proposing a non-employment generating use.

The proposal seeks planning permission for the installation of three rapid electric vehicle charging stations and ancillary equipment. Although this would not be an employment generating use (as defined in the Local Plan glossary), it would be provided on land already relating to an employment generating use. As such, the scheme would comply with LP8.

In this case, the principle of development is considered acceptable, and the proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety. These issues along with other policy considerations will be addressed below.

## **2. Impact on Visual Amenity**

Policy LP24 of the Kirklees Local Plan states 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.

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states: *“The creation of high quality, beautiful and sustainable 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.”*

The electric vehicle charging points and ancillary equipment, are relatively small in size and stature, however, an accumulation of street furniture, such as bollards and lampposts etc can create a cluttered appearance. The placement of the EVCPs and associated equipment would not be seen to be uncommon given the commercial setting within a car park. The EVCPs would be aligned with the existing car parking spaces and the cables would be located underground. The ancillary equipment would be associated directly to the use of the EVCPs and their design would be considered typical for such a use. Furthermore, Officers are satisfied that the visual clutter is reasonably limited and would be in keeping within its commercial setting. On this basis, it is considered that the proposed development would not have any significant visual impact on the character and appearance of the surrounding area.

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of the wider street scene, complying with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework.

## **3. Impact on Residential Amenity**

Section B and C of LP24 states that alterations to existing buildings should: *“...maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers”*. Further to this, Paragraph 135 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.

Due to its location and nature, the proposed development would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of nearby neighbouring occupants. Therefore, it is

considered that there would be no undue harm with regard to residential amenity.

Having considered the above factors, the proposed works are not considered to result in any adverse impact upon the residential amenity of any surrounding neighbouring occupants, complying with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Paragraph 135(f) of the National Planning Policy Framework.

### **3. Impact on Highway Safety**

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

This application is for the Installation of three rapid electric vehicle charging stations and ancillary equipment at McDonalds, Owl Lane, Shaw Cross, Dewsbury. The proposal is to replace 3 existing parking spaces with 3 rapid electric charging stations. The proposal would not reduce the total number of parking spaces available for the site and, as a result, sufficient parking for the site remains available. The Council wishes to promote and encourage the use of ultra-low emission vehicles due to their air quality benefits. The proposals do not adversely affect highway safety at this location and are, therefore, supported by KC Highways Development Management

In view of the above, it is considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

### **4. 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 predates 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.

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures.

#### Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors. It is therefore necessary for a footnote to be imposed restricting the hours of operation for the site.

#### Biodiversity

The application form states that the development subject to the de minimis exemption, would be exempt from providing Biodiversity Net Gain. At this stage, Officers are only able to assess this on the basis of submitted information. Should the proposal be considered not exempt by reason of not being this or other relevant categories for the scale of the development then an appropriate condition, supported by a BNG metric submitted for the approval of the LPA, would be required to ensure on-site BNGs would last for at least 30 years to meet the requirements of this legislation.

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

### **5. Representations**

No representations were received following the statutory publicity.

### **7. Conclusion**

This application for the installation of three rapid electric vehicle charging stations and ancillary equipment at McDonalds, Owl Lane has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered acceptable.

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:** 2026/90385

**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 to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP8, LP13, LP16, LP20, LP21, LP22, LP24, LP26, LP30, LP51, LP52 and LP53 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

**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 13.00hours, 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 the works may be carried out.

### Plans and specifications schedule:

Plan Type	Reference	Revision	Date
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			<b>Received</b>
Location and Block Plan	10376-0489_02	B	13/02/2026
BYD 160KW Single Arm Charger	001_58	A	13/02/2026
FC18 GRP Feeder Pillar - With Roots	001_08-03	C	13/02/2026
BYD 160kW Charger	001_29	C	13/02/2026
Planning Site Layout	10376-0489_01-PL	A	13/02/2026
Dual Arm	EVD160KU/C01	4.0	13/02/2026
Single Arm	EVD160KU/C05	1.0	13/02/2026
Planning Statement	-	-	13/02/2026
Design & Access Statement	-	-	13/02/2026

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 2024 and otherwise actively engaged with the applicant in dealing with the application. In this case, the design of the original scheme has been found acceptable. No further details were sought thereafter.

**Dated: 17/03/2026**

