

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:	2026/62/90387/W
Site Address:	Upper Mills, Canal Side, Slaithwaite, Huddersfield, HD7 5HA
Description:	Temporary permission for 5 year period for use of land for leisure and recreation purposes; siting of associated transient structures; erection of means of enclosure; surfacing and associated works
Recommending Officer:	Joanna Rednall

DECISION – TEMPORARY 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.

John Holmes

AUTHORISED OFFICER

Date: 26th August 2026

The Site

2026/90387

Upper Mills, Canal Side, Slaithwaite, Huddersfield, HD7 5HA

The application site comprises a 277 sq m parcel of woodland located to the west of Upper Mills, a commercial building. Access is gained via Canal Side, an unadopted road to the east, and is adjacent to Upper Mills car park. The site is bounded by the Huddersfield Narrow Canal to the north and woodland to the south and west. COL/115/10 runs along part of the red line boundary.

The site is not located within or adjacent to any designated heritage assets, including Listed Buildings or Conservation Areas, nor is it nearby any protected trees. It lies within the Strategic Green Infrastructure Network and is adjacent to, but not within, the designated Green Belt, which lies to the north.

The Proposal

The applicant is seeking temporary planning permission for 5 year period for use of land for leisure and recreation purposes; siting of associated transient structures; erection of means of enclosure; surfacing and associated works.

The structures include:

- Sauna – 2.4m W x 6m L timber clad sauna cabin
- Cold plunge pools – 1.1m x 1.1m plastic baths clad in timber paneling
- Office – 3.6m w x 2.3m d Nordic Spruce Wooden events kiosk
- Secure Shed – 1.2m x 1.15m Shiplap T+G cladding with security Slit window + locking bar
- Perimeter fence – 1.8m H natural willow weave fence
- All structures on site are under 2.5m in height and there is no requirement for foundations or hardstanding.

The site includes geo-tile flooring mat with pea-gravel along the 'wet' areas and main thoroughfare. The remaining plot has a woodchip floor surface.

A 1.2m x 0.8m A-board floor mounted sign is placed near the entrance fence. Festoon lighting is used when necessary during the evening at low-level. No flood lighting is used.

Opening times are 9am to 8:30pm daily, and the business comprises 4 employees at the site.

Grey water drainage from the plunge pools, showers and staff sink, is directed into the mains combined drain, which combines with the mains drains on site. Run-off water from the showers is collected beneath the shower platform and channelled into the mains drains back to the mill.

Access to the site is via the path and car park owned by landowner, or the Canal Tow path owned by the Canal + River Trust. The access route to the public highway is via Howgate Road, and the car park and the access route are not owned by the applicant, permission has been agreed and the car parking facilities whilst useful and customers have the option to use them, they are not part of the sauna business strategy or this proposal.

History of Negotiations

The case officer requested further information regarding the justification for the temporary planning permission and the applicant's intentions at the end of the proposed temporary period. In an email dated 30 June, the applicant's agent confirmed that the outdoor sauna represents a new business concept for the area and that temporary permission was sought. At the end of the temporary period, the proposed structures, including the boundary fencing and floor surfacing, would be removed, and the site would be restored to its previous condition.

A Drainage Addendum was submitted on 9 July in response to the comments received from the Canal & River Trust.

Planning History

There is no planning history for the site which is considered relevant to the current proposal.

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice and on the Council's website.

Final publicity date expired: 2 July 2026.

91 letters (which includes hand-written letters, e-mails and on-line representations) of representation have been received. These are summarised as follows:-

Letters of objection (2)

- The site was cleared of all trees and vegetation without any consultation, which will have impacted on all wildlife in the area.
- There is considerable noise when users are using the plunge pool
- Whilst there is an adjacent pay and display Car Park, there is no dedicated free car parking. Hence, this just leads to further street parking on already heavily congested areas around the local vicinity.
- From a privacy point. It seems fine from walking on the canal towpath, but from the roads and houses up above, its not good for the people who live there. Or for that matter, those using the sauna taking showers, and using the plunge pools

Letters of Support (87)

- The sauna is a great addition to the community. It's discreet among the trees and easy to get to whether you are travelling on foot or by car
- It provides a welcoming and affordable sanctuary where you can care for your health and stress levels
- Saunas are just a wonderful community resource, have loads of health benefits, not least of which is appreciating the peace and nature surrounding us
- Having Iglu there is a real draw to visit Slaithwaite
- Iglu Sauna should have their application granted because it's great for the local community when getting together and unwinding with the opportunity of meeting new people
- It's brilliant what they've done as it was just derelict waste land and they've made it into something beneficial
- The business owners appear to be very conscientious when it comes to environmental considerations and the communities of Slaithwaite, and surrounding areas, should welcome this planning application and support its longevity
- I believe their location, business model, business acumen and concept can only be a positive thing for Slaithwaite and surrounding areas
- This business has provided as significant boost in interest in the area, it both looks far cleaner and gives all the other shops in the area a boost in footfall
- The sauna is close to the centre bringing publicity and tourism to the local area, benefitting local businesses, indirectly increases job opportunities
- This is easily, for me, the best addition to wellbeing facilities in the colne valley for a long time

- The facilities are affordable and beautifully designed to fit in with their surroundings. They promote community and individual wellbeing and offer local people and visitors a uniquely restorative, mindful experience in the woods.
- There is no negative impact on the environment or neighbouring area, it is quiet and respectful of the surroundings.
- The location is perfect! It offers a rare, peaceful, and natural setting that blends in with the trees and surrounding nature, while remaining incredibly accessible and close to the town centre and train station. Because it is so walkable, it actively encourages sustainable travel and healthy living without impacting local traffic.
- The design of the site is incredibly thoughtful, using eco-friendly wooden structures and natural greenery that blend perfectly into the local environment with minimal noise or disruption.
- This is helping to put Slaithwaite on the map and also helping the economy.
- I have visited Iglu sauna at Slaithwaite once and I came by train. It was only a 10 minute walk from Slaithwaite station and the train journey from Leeds was only 30 minutes. Iglu sauna blends in with the surrounding trees and it is not intrusive.
- A lovely space in nature for supporting community and wellbeing. It has integrated well into the area next to the canal without disturbing nature or being obtrusive.
- It's very private and is far away from local residents not overlooking anyone. With it having a car park at its front door traffic and parking is very unlikely to affect local residents

Letters of Comment (2)

- A fabulous venue and asset to the local area. Well used by locals and visitors alike. Therapeutic, creates an atmosphere of calm and peace. Important for mental wellbeing.
- Iglu Sauna in Slaithwaite is in a prime location being at the side of the canal and it's a huge asset to our community. Having a run club within the village it's the perfect spot for rest and recovery and the ladies have a huge interest in it and we can't wait to use the facilities even more

Parish/ Town Council Comments

N/A.

Consultations

Canal and River Trust: Following submission of further information, no objection.

KC Environmental Health: No objection subject to a noise management plan condition and a reporting of unexpected contamination condition.

KC Ecology: Comments received, no objection subject to a lighting strategy condition and Ecological Design Strategy condition.

KC Highways Development Management: No objection

The content of the above consultation responses is discussed in more detail within the Officer Report.

Allocation & Policies

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 27th February 2019).

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity
- LP47 Healthy, active and safe lifestyles
- LP48 Community facilities and services
- LP51 Protection and improvement of local air quality
- LP52 Protection and improvement of environmental quality

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF)

published August 2026, 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. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 4 – Achieving sustainable development
- Chapter 5 – Meeting the challenge of climate change
- Chapter 14 – Achieving well-designed places
- Chapter 15 – Promoting sustainable transport
- Chapter 16 – Promoting healthy communities
- Chapter 19 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

Kirklees Highway Design Guide (November 2019)

Legislation

The Town & Country Planning Act 1990 (as amended).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Assessment

1 – Principle of development:

It is necessary to consider planning applications for housing development in the context of NPPF policies S3 – S5 of Chapter 4. The objective of the policies in chapter 4 are to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements. For proposals within settlements policy S4 sets out development should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

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. 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.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

Policy LP13 of the Kirklees Local Plan sets out that a sequential assessment is required for all developments (other than non urban development under 150m²) and an impact assessment where the floor space exceeds 800m² for edge of centre sites. The proposal would not, however, exceed the impact assessment threshold in this case.

Chapter 7 of the NPPF seeks to ensure developments enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and characteristics of different areas, and supports long-term economic growth both locally and nationally.

Chapter 8 of the NPPF sets out policies to promote the long-term vitality and viability of town centres by prioritising them as locations for main town centre uses and allowing them to adapt to changing community and business needs, in a way which reflects their locally distinctive roles and opportunities. For the purpose of this chapter ‘town centres’ includes city, town, district and local centres as defined in the glossary at Annex B.

Policy TC3 relates to main town centre uses outside town centres and sets out that a sequential test should be applied to proposals for main town centre uses for which planning permission is required, where these are neither in an existing centre nor in accordance with an allocation for that purpose in an up-to-date development plan. Part 2 of TC3 goes on to set out that the sequential test means that main town centre uses involving new development should be located within town centres identified in the development plan; then, if this is not feasible, in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering edge of centre and out of centre locations, preference should be given to accessible sites which are well connected to the town centre by sustainable transport modes.

The site is within 250m of the nearest centre (Slaithwaite). Whilst the proposal is not submitted with an accompanying sequential assessment. In this case there are considered to be a number of factors present that constitute a

material consideration which otherwise dictates that this element of policy LP13 is required to be strictly adhered to.

The use of the site for purposes relating to leisure / recreation falls within that which can be considered to be a main town centre use. That said, the setting forms part of the overall use which is proposed and weight is afforded to this element of the scheme as well as the fact the proposal is seeking a 5 year temporary permission. In this case it is considered that the absence of an assessment of sequentially preferable town centre locations is mitigated to some extent by the temporary nature of the proposal and a condition on this basis would be recommended.

In this case, subject to condition, the principle of development in this application is acceptable and shall be assessed against the applicable material planning considerations within the following report.

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council's adopted Local Plan sets out 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 and minimise impact on residential amenity of future and neighbouring occupiers.

Chapter 14 of the NPPF sets out the objective to promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes.

Policy DP3(1) of the NPPF details that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

The application is seeking temporary planning permission for 5 year period for use of land for leisure and recreation purposes; siting of associated transient structures; erection of means of enclosure; surfacing and associated works. The structures consist of the following:

- Sauna – 2.4m W x 6m L timber clad sauna cabin
- Cold plunge pools – 1.1m x 1.1m plastic baths clad in timber panelling

- Office – 3.6m w x 2.3m d Nordic Spruce Wooden events kiosk
- Secure Shed – 1.2m x 1.15m Shiplap T+G cladding with security Slit window + locking bar
- Perimeter fence – 1.8m H natural willow weave fence
- All structures on site are under 2.5m in height and there is no requirement for foundations or hardstanding.

The site is situated within a woodland area approximately 85m west of a Priority Employment Area. It is adjacent to Green Belt land, however the site does not fall within it, and is separated from the Priority Employment Area by a car park.

A planning statement has been submitted in support of this application. The statement sets out that prior to January 2026, the land has not been in active commercial, residential, or community use. The statement considers the sauna brings the site into use, delivering social, health and economic benefits while maintaining the ability to revert to its original condition or transition to a future strategic use.

The proposed structures would be relatively well screened from public view and enclosed by a 1.8m-high willow-weave fence. The structures are small in scale and limited to single storey in height. It is considered that within the woodland context, the development would not appear detrimentally incongruous or visually at odds with the surrounding landscape. The site is bounded by the Huddersfield Narrow Canal and would be visible from Public Right of Way (PROW) COL/115/10. However, the fencing would be set approximately 3m back from the canal towpath and would be separated from it by existing trees and vegetation. The intervening vegetation would provide additional screening and soften the visual appearance of the fencing when viewed from the towpath. As a result, the development would not appear unduly prominent or overbearing to users of the towpath and would retain an appropriate relationship with the established woodland setting.

The proposal would make use of the existing car park and would not introduce any additional hardstanding beyond that already present on site. Externally, the paths would comprise woodchip, while internal floor finishes would consist of geo-tile flooring with pea gravel. These materials and the limited extent of hard surfacing would help to maintain the character of the woodland and would not introduce significant urbanising features into the setting.

The agent confirmed by email dated 30 June that, at the end of the five-year period, the temporary structures, including the boundary fencing and floor surface, would be removed and the site returned to its previous condition. In

the interests of visual amenity, this will be secured by condition, requiring the removal of the temporary structures and reinstatement of the site to be completed within 30 days of the expiry of the five-year permission.

It is therefore considered that in terms of visual amenity, the proposed would comply with Policy LP24 of the Kirklees Local Plan, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 17 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers.

Policy P3(2)(e) seeks to ensure developments limit any adverse impact from artificial light on local amenity, intrinsically dark landscapes (those areas entirely, or largely, uninterrupted by artificial light) and nature;

Policy P3(2)(b) seeks to ensure developments do not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers

In this case, the site is screened by existing trees and is situated at a lower land level than the residential properties on Rotcher Lane, which are located approximately 40 metres to the north of the site. Officers are therefore satisfied that the proposal would not result in any undue impacts in terms of overlooking, overbearing effects or loss of light to neighbouring properties. The development is therefore considered acceptable in this regard.

Given the nature of the site and the predominantly outdoor nature of the proposed use, KC Environmental Health has been consulted regarding the potential for noise arising from the development. KC Environmental Health has recommended that a Noise Management Plan be submitted to the Local Planning Authority prior to the premises being brought into use. Officers consider that this is a reasonable and necessary condition to safeguard the residential amenity of neighbouring properties. However, as the development has already taken place and is currently operational, it is considered appropriate for the condition to require the Noise Management Plan to be submitted within a suitable timescale of the date of the permission.

The application form outlines the hours of opening as 9am – 8:30pm 7 days a week. In the interests of residential amenity it is considered necessary to secure suitable opening hours via planning condition. Notwithstanding the

submitted form it is considered hours of 8am to 9pm are reasonable in this case taking account the distance of the site from neighbouring occupiers.

Whilst the site has seen increased activity including lighting, it is not considered this is in a setting which can be concluded to be intrinsically dark in this case. The scheme suitably sited from neighbouring occupiers to ensure it has an acceptable impact in terms of overlooking and would not be unduly oppressive / detrimentally impact upon natural light.

It is therefore considered that in terms of residential amenity, the proposed would comply with Policies LP24 and LP52 of the Kirklees Local Plan and advice within Chapter 12 and 17 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 15 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. The Council's adopted Highway Design Guide seeks to ensure acceptable levels of off street parking are retained are also considered to be of relevance.

KC Highways Development Management were formally consulted due to the nature of the proposal. Officers have provided the following comments:

The proposal site is well placed for sustainable travel able to be reached conveniently on foot as well as by cycle and public transport; although inclement weather and darkness may restrict usage along the approach routes, such as the canal towpath. Cycle parking is available for up to 10 cycles to support policy SP20 and Active Travel.

Access is retained within the site from the unadopted link across the canal from the public highway at Howdale Road and Rotcher Lane. The access serves several premises within the wider Upper Mills site as well as PROW Footpath COL/115/10.

There is an existing 20 space car park nearby for those staff and visitors travelling by car and is considered sufficient to cater for the described number of a maximum of 14 users at any time, and changeovers without counting any travelling by alternative modes. Sessions are bookable in advance as a further control in hourly slots plus time for changing. It is noted that there is attendance in small groups and people may travel together.

Additionally, it is noted that the site has been operational since 2023 and HDM is unaware of any reported public safety issues. PROW Footpath

COL/115/10 passes through New Mills and would not be obstructed or be subject to excessive use by motorised vehicles and cycles. The landlord may wish to consider the future provision of electric vehicle charging points to further aid sustainable travel and mode choice.

Taking the response from HDM into consideration, the proposal is not considered to give rise to any detrimental impacts of highway safety. It is therefore considered that in terms of access and highway safety / parking the proposed would comply with Policies LP21 and LP22 of the Kirklees Local Plan, principle 15 of the Council's Street Design Guide and chapter 15 of the National Planning Policy Framework.

5 – Other matters:

Ecology

Chapter 19 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. Whilst it is acknowledged that the site is located within an identified bat alert area, the proposals are relatively modest, and therefore considered unlikely that the proposals would have an impact on the bat population. An informative has been provided however, making the applicant aware that if bats are discovered on site during the works, any development shall cease and the applicant is advised to contact Natural England for advice on how to move forward.

The application is supported by a Preliminary Ecological Appraisal (PEA) (Pennine Ecology, April 2026) and a Planning Statement (Higgins + Higgins Architects, February 2026).

The PEA states that it is likely that the site has been degraded prior to the installation of the buildings. The report states *“The relatively small of loss of habitat under the footprint of the iglu sauna site can be assessed using historical aerial and ‘street view’ imagery as is shown in Plates 1 - 3. It appears woodland was present in Plate 1 dating from 2021. The image from 2025 shows the extent of the clearance. Plate 3, a Google ‘street view’ image, shows the vegetation on site prior to the clearance. Plate 4 was taken from a similar angle as Plate 3 by Pennine Ecological on the 6th of April 2026 as part of this study. It cannot be accurately ascertained, but it does appear only a small number of trees have been removed and the design of the site has been*

in consideration of certain trees which are shown in both Plates 3 and 4.” It is unclear if this clearance was to facilitate the development, or if it has been undertaken for different reasons.

To compensate for this loss of habitats, KC Ecology have recommended that an Ecological Design Strategy (EDS) is secured as a condition of any consent. This should include reasonable compensation measures including, but not limited to, the provision of habitat boxes for birds and bats and new native biodiverse species planting.

The PEA also states that the area around the development site is “excellent bat foraging and commuting habitat” and has the potential to support otters. KC Ecology have recommend that an external lighting strategy is secured as a condition of any consent. This should demonstrate how the development will not illuminate above 1 lux any areas of the wider site which could be suitable for nocturnal species.

Subject to the inclusion of the above conditions, the development is acceptable from an Ecology perspective.

A 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 for minor sites granted pursuant to an application submitted after 02 April 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 stated the application falls under the ‘Di-Minimus’ exemption category within the application forms. Therefore, in light of the submitted detail it is considered the application is exempt from a BNG uplift.

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 pre-dates 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.

Considering the modest nature of the proposed development, it is considered that the proposed development would not have an impact on climate change that needs mitigation to address the climate change emergency. A Climate Change statement has been submitted with this application.

Huddersfield Narrow Canal

The Canal & River Trust (CRT) owns and manages the Huddersfield Narrow Canal, which is located to the north of the application site. During the initial consultation, the CRT advised that surface water on the site should be managed through the use of a Sustainable Drainage System. However, no details of the proposed drainage arrangements had been provided at that stage.

The CRT therefore requested details of how surface water would be managed to ensure that it is appropriately controlled and does not result in unmanaged discharge to the canal or to watercourses that interact with the canal. This is considered necessary to prevent the creation of a pollution pathway that could adversely affect the water quality of the canal, in accordance with the aims of Policy LP52 of the Kirklees Local Plan.

Following this, the applicant submitted a Drainage Addendum on 9 July. The document confirms that the entire floor area of the site will be finished with permeable, free-draining surfacing, comprising pea gravel and woodchip, allowing rainfall to infiltrate naturally into the ground. The only impermeable elements comprise the small timber shed-style roofs, which together occupy approximately 19% of the 277 m² site area. Rainwater from these roofs will discharge directly onto the surrounding permeable ground rather than into a piped surface water drainage system. Water required for the operation of the facility will be supplied via the mains water network, with all wastewater discharged to the existing mains sewer network. The location of the site's floor drain is shown on the submitted plan.

The proposed surface water management arrangements will ensure that there is no unmanaged discharge to the canal or to watercourses that interact with it. The site will be surfaced with permeable, free-draining materials, allowing rainfall to infiltrate into the ground. The site's topography is generally level, with a gradual fall towards the former mill dam and the River, rather than towards the canal. It is understood that, prior to the land becoming disused, this area formed part of the historic mill dam.

The CRT has reviewed the submitted information and has raised no objection to the scheme. However, it has recommended that consideration be given to the installation of a native planting buffer to provide an effective visual screen and mitigate views of the rear elevations of the buildings and the proposed fencing treatment from the canal.

6 – Representations:

91 letters (which includes hand-written letters, e-mails and on-line representations) of representation have been received. In total, 89 of these were received in support with 2 received objecting to the proposal. The matters raised in the letters of objection have been addressed in the Officer Report and are summarised below:

- The site was cleared of all trees and vegetation without any consultation, which will have impacted on all wildlife in the area.
Officer response: *This is noted. There are no protected trees within the site, and the submitted information confirms no trees have been removed or felled during the course of the development. The Council's Ecologist has been consulted on the proposal and their response is set out under Section 5 of this report. Removal of vegetation would not require consent in this case given the extent of vegetation clearance.*
- There is considerable noise when users are using the plunge pool
Officer response: *This is noted. The impact of noise arising from the proposal has been considered as part of the application process. KC Environmental Health has been formally consulted and has recommended conditions relating to noise. This matter has been assessed further in Section 3 of this report.*
- Whilst there is an adjacent pay and display Car Park, there is no dedicated free car parking. Hence, this just leads to further street parking on already heavily congested areas around the local vicinity.
Officer response: *This is noted. KC Highways Development Management have been consulted on the proposal and have raised no objection to the scheme from a parking or highway safety perspective. This is assessed under Section 4 of this report.*
- From a privacy point. It seems fine from walking on the canal towpath, but from the roads and houses up above, its not good for the people who live there. Or for that matter, those using the sauna taking showers, and using the plunge pools

Officer response: *This is noted. The impact upon privacy has been considered under section 3 of this report.*

The representations raised in support and those raised as letter of comment are noted and taken into account in the assessment of this application.

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 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: 2026/90387

Officer Recommendation: APPROVE

Conditions

1. The development is hereby approved for a temporary period until 26 August 2031 only.
Reason: For the avoidance of doubt as to what is authorised by this permission, in the interests of the vitality / viability of existing centres and visual amenity to accord with policies LP13 and LP24 of the Kirklees Local Plan and Policies in Chapters 7, 8 and 14 of the National Planning Policy Framework.
2. Within 30 days of 26 August 2031, all equipment associated with the development hereby approved shall be removed in its entirety.
Reason: For the avoidance of doubt as to what is authorised by this permission, in the interests of the vitality / viability of existing centres and visual amenity to accord with policies LP13 and LP24 of the Kirklees Local Plan and Policies in Chapters 7, 8 and 14 of the National Planning Policy Framework.
3. 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 accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan and Policies within Chapters 5, 4, 14 and 15 of the National Planning Policy Framework
4. Within two (2) months of the date of this permission, an Ecological Design Strategy (EDS) addressing mitigation, compensation and enhancement shall be submitted to the local planning authority for written approval. The strategy shall be implemented within 1 month following the issuing of written approval of the strategy by the Local Planning Authority.
The EDS shall include the following:

- a. Purpose and nature conservation objectives for the proposed works.
- b. Review of site potential and constraints.
- c. Detailed design(s) and/or working method(s) to achieve stated objectives.
- d. Extent and location/area of proposed works on appropriate scale maps and plans.
- e. Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g. Persons responsible for implementing the works.
- h. Details of initial aftercare and long-term maintenance.
- i. Details for monitoring and remedial measures.
- j. Details for disposal of any wastes arising from works.

Reason: In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan policies within Chapter 19 of the National Planning Policy Framework.

5. Within 2 months of the date of this permission, 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), shall be submitted in writing to the Local Planning Authority. The lighting scheme shall be implemented within 1 month following the issuing of written approval of the lighting scheme by the Local Planning Authority. The lighting scheme will demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. No areas of the wider site which could be suitable for nocturnal animals should be illuminated above 1 lux. Thereafter the agreed lighting scheme shall be implemented, in accordance with the approved scheme. All external lighting shall be installed strictly in accordance with the specifications and locations set out within the Lighting Strategy.

Reason: In the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and policies within Chapter 19 of the National Planning Policy Framework.

6. Within 2 months of the date of this permission, a noise management plan shall be submitted in writing to the Local Planning Authority. The noise management plan shall be implemented within 1 month following the issuing of written approval of the noise management plan 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 guests' use of the property and the actions that will be taken if

guests at the property fail to observe the required control measures. The approved noise management plan shall be retained thereafter.

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 Policies LP24 and LP52 of the Kirklees Local Plan and Chapter 17 of the National Planning Policy Framework.

7. If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works 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. Works 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 Chapter 19 of the National Planning Policy Framework.

8. The use hereby approved only be undertaken between the hours of 08:00 and 21:00.

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 Chapter 17 of the National Planning Policy Framework.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group.

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: It appears from the submitted plans that the proposal includes wood fired stoves. Therefore, the appliance must comply with the Clean Air Act 2021. To ensure compliance with the necessary legislation, the applicant should seek advice from Environmental Health, email pollution@kirklees.gov.uk

NOTE: Bats and the places they use for shelter or protection (i.e. roosts) are protected under the Habitats Regulations 2017 (as amended). They receive further legal protection under the Wildlife and Countryside Act 1981 (as amended). Section 43 of the Habitats Regulations makes it an offence to: deliberately capture, injure, or kill a bat; deliberately disturb bats; or damage or destroy a bat roost. Where a licence is required to derogate from the Habitats Regulations, a grant of planning permission does not constitute consent to proceed with the works insofar as they affect the species in question. The licence must be applied for separately from Natural England, be granted and all licence conditions be complied with for the works to proceed lawfully.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	X_AP_LP	04	19/05/2026
Existing Site Layout Plan	X_AP_SP	02	11/02/2026
Existing Floor Plan	X_AP_L0	02	19/05/2026
Proposed Site Layout	P_AP_SP	03	19/05/2026

Plan Type	Reference	Version	Date Received
Plan			
Proposed Floor Plan	P_AP_L0	04	08/05/2026
Proposed Floor Plan	P_AP_L0	03	11/02/2026
Proposed Section AA	P_AS_AA	04	08/05/2026
Proposed Section BB	P_AS_BB	04	08/05/2026
Proposed Structure Elevations 01	P_AE_01	01	08/05/2026
Proposed Structure Elevations 02	P_AE_02	00	08/05/2026
Planning Statement Revision 04 dated February 2026 (latest update, 30 April 2026)	-	-	08/05/2026
Preliminary Ecological Appraisal dated April 2026	-	-	08/05/2026
Climate Change Statement	-	-	19/05/2026
Response to Canal + River Trust comments - 09th July 2026	-	-	09/07/2026
Application Form	-	-	11/02/2026

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 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 applicant's agent confirmed by email dated 30 June that the outdoor sauna is a new business concept for the area and that temporary permission was sought. At the end of the temporary period, all structures, fencing and floor surfacing would be removed and the site restored to its previous condition. A Drainage Addendum was submitted on 9 July in response to comments from the Canal & River Trust.

