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:	**2026/62/90556/E**
Site Address:	Super Shine Hand Car Wash, 52, Halifax Road, Millbridge, Liversedge, WF15 6JL
Description:	Erection of a building to provide vehicle valeting bays, MOT testing bay and associated facilities, together with the reconfiguration of the existing parking and servicing layout
Recommending Officer:	Kerri Simpson

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: 26 April 2026

Officer Report – 2026/90556

Super Shine Hand Car Wash, 52, Halifax Road, Millbridge, Liversedge, WF15 6JL

Site Description

The application site relates to the existing Super Shine Hand Car Wash, located on the northern side of Halifax Road, a classified highway. The site is currently in use as a car wash and valeting facility with ancillary tyre repair.

The site contains a mix of structures including covered valeting and tyre bays, together with a number of storage containers positioned to the northern part of the site. Vehicular access is taken directly from Halifax Road, with a defined in and out arrangement and circulation through the center of the site. Informal parking and servicing areas are evident.

The site is enclosed by paneled fencing to the site boundaries, a stone wall to the north, and railings to the frontage. Surrounding land uses are mixed, with commercial and industrial-style buildings to the north. To the east are residential properties at Nos. 54-58 Halifax Road, together with dwellings on Valley Road, which are predominately two-storey in scale, with No.58 Halifax Road incorporating a ground floor commercial use. To the west lies Malthouse Court, a three-storey residential development, with further residential properties at Nos. 21-27 (odd) Malthouse Court located to the north-east of the site.

Description of Proposal

The Scheme

The proposed development seek the removal of the existing storage containers and temporary office structures to the northern part of the site along with the existing valeting area in the southwestern corner of the site; to construct a permanent, consolidated building positioned along the northern boundary. The building would accommodate a new MOT bay, valeting bays and associate ancillary facilities.

The building would be L-shaped with a maximum width of circa 28.35m, a depth between 11.1m – 11.6m and an eaves height of circa 4.3m. The building would have a mono-pitched roof sloping with a maximum height of circa 5.16m from north to south on the longitudinal section and a dual pitched roof with a ridge height of circa 6.1m on the latitudinal projecting element. The proposed materials include a engineering brick plinth, profiled metal sheet cladding finished in anthracite to walls and the roof. Openings are predominately focused to the southern elevation comprising roller shutters to bays and window/door to ancillary functions, with one standard door on the eastern elevation.

The internal layout of the site would reconfigure to formalise the existing car wash operation, including defined wash stages (wash, hand wash, rinse and dry) arranged around a central circulation loop. The central island would be retained and utilised for vehicle parking. A clearance zone is also identified adjacent to the proposed building.

Vehicular access would remain from Halifax Road, with the existing in and out arrangement retained and internal circulation rationalised as part of the scheme. The covered tyre bay to the south-east would be retained alongside a smaller store and designated refuse area.

The resultant business would operate Monday to Saturday between 09:00 and 18:00, and on Sundays and bank holidays between 10:00 and 16:00. The supporting statement indicates that the business would employ five full-time staff members.

Supporting Information

In addition to the submitted plans the following documents have been submitted to support the application:

- 25-005 Cover Letter (prepared by Novl Studio, dated February 2025)
- Design & Access Statement (prepared by Novl Studio, dated February 2026)
- Climate Change Statement

History of Negotiations / Amendments Received

Officers requested an additional drawing which shows the relationship between the development and the neighbouring properties in section. This was to assist in the officer's assessment of the development in terms of visual and neighbouring amenity impacts.

Relevant Planning History

Ref: 2012/90804
Description: Erection of covered valeting area and store
Decision: Conditional Full Permission (20/08/2012)

Ref: 2010/91592
Description: Erection of tyre repair area with lean-to shelter and storage cabins **Decision:** Conditional Full Permission (12/09/2011)

Ref: 2009/91352
Description: Change of use from vacant land to hand car wash & 2 no. site cabins
2020/90952
Decision: Conditional Full Permission (20/08/2009)

Representations

Publication of the application has been undertaken in accordance with the Council's Development Management Charter (December 2024).

The application has been publicised on the Council's website, and by site notice. The expiry date of the publicity period was the 22nd April 2026.

No public letters of representation were received.

Consultation Responses

KC Highways Development Management (15.04.2026 Verbal comments) – No objection, the proposal is considered to result in a modest intensification of the site; however, this is not expected to give rise to severe impacts on the highway network. Existing drainage appears to be sufficient for highways purposes.

Allocation and Policy

The site is subject to following planning policy designations and constraints:

- Potentially Contaminated Land
- Bat Alert Zone
- Flood Zone 1
- Development Low Risk Coal

The following legislation, policy and guidance is considered relevant to the determination of this application: -

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP26 Renewable and low carbon energy
- LP28 Drainage
- LP30 Biodiversity and Geodiversity
- 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 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 11 Making effective use of land
- 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

Supplementary Planning Documents / guidance

Kirklees Highway Design Guide (adopted November 2019)
The Biodiversity Net Gain Technical Advice Note

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.
Section 17 of the Crime and Disorder Act 1998 (as amended)
The Conservation of Habitats and Species Regulations 2017

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

The following matters are considered in the assessment below –

1. Principle of development
1. Impact upon the character and appearance of the area
2. Impact upon residential amenity
3. Impact upon highway safety
4. Ecology and Biodiversity
5. Ground Conditions
6. Climate Change
7. Other matters
8. Representations
9. Conclusion

1.Principle of Development

<u>Sustainable Development</u>

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which

includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation. The dimensions of sustainable development will be considered throughout the proposal.

Use

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 chapter 2 of the National Planning Policy Framework. 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”.

The site has been subject to a number of historic planning permisisons relating to car washing, valeting and tyre-related activities, some of which included operational controls such as specific hours of use. However, it is evident that the layout and operation of the site has evolved over time, with the use continuing in a broadly consistent commercial form for a number of years.

In the absence of any recent enforcement action and having regard to the long-standing nature of the use, the current operation of the site is taken as the baseline against which the proposed development has been assessed. The proposal therefore represents a reconfiguration, consolidation and minor expansion of existing commercial use, rather than the introduction of fundamentally new or more intensive uses. The development would continue to operate as a sui generis use associated with vehicle washing, valeting and MOT testing.

Subject to detailed consideration of other material planning considerations including but not limited to design, residential amenity and highway impacts, the principle of the proposed development is considered acceptable in accordance with Policy LP1 of the Kirklees Local Plan and Chapter 2 of the NPPF.

2.Impact on character and appearance of the area

Visual Amenity

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development; it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP1, LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape'.*

The site occupies a prominent position on Halifax Road, as noted above, within a mixed-use area characterised by a combination of residential properties, commercial premises with notable utilitarian buildings beyond the northern boundary. The site itself is currently occupied by a range of structures of varying form, scale and appearance, including containers, ancillary building and other lightweight structures which collectively give rise to a piecemeal and visually cluttered appearance.

The proposed development would introduce a single, consolidated building positioned to the northern side of the site, replacing the existing structures. Whilst it is acknowledged that the proposed building would be larger in overall scale than some of the individual structures it replaces, it would provide a more coherent and unified form of development. In terms of design, the building would adopt a simple functional form reflective of its commercial use, with a brick plinth and profiled metal sheet cladding and roofing finished in anthracite. These materials are typical of modern industrial and commercial building and are considered appropriate within the context of the surrounding area, where utilitarian structures already form part of the prevailing character.

The building would be visible from within the street scene and from surrounding residential properties; however, given the existing commercial use of the site, the presence of signage combined with the general activity of the site, the proposal is not considered to appear incongruous or unduly dominant. It is recommended that a compliance condition is attached to the decision notice to secure the use of the proposed materials as described within the application.

It is therefore considered that subject to the above conditions, the development would not give rise to unacceptable harm to visual amenity or the character of the area, in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. Impact on Residential Amenity

Sections 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 130 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 site is located within a mixed commercial and residential area, with neighbouring dwellings in relatively close proximity. It is acknowledged that

the addition of an MOT Bay along with the repositioning of valeting bays have the potential to generate additional noise.

Noise

The application site is located in close proximity to residential properties, including dwellings on Halifax Road, Valley Road and Malthouse Court. It is acknowledged that these properties have a degree of sensitivity to noise and disturbance.

The site is already in established use as a car wash, valeting and tyre repair facility, which gives rise to a baseline level of noise and activity within the locality, including vehicle movements, cleaning operations and some mechanical activity. The surrounding area is also characterised by a mix of commercial and residential uses, particularly beyond the north boundary of the site, and therefore does not represent a wholly quiet residential environment.

The proposed development would introduce an MOT testing bay and reconfigure the layout of the site. Whilst it is recognised that MOT testing can involve some engine and mechanical noise, this activity is typically intermittent, of short duration and undertaken on an appointment basis. It is therefore not considered to result in a materially different type or level of activity compared to the existing lawful use of the site.

Notwithstanding the above, it is considered appropriate to impose conditions to control the hours of operation of the site and to ensure that the MOT testing bay is used for testing purposes only and not be used for vehicle servicing, repair or maintenance. These measures would ensure that the impacts on the amenity of neighbouring occupiers is appropriately managed.

The proposed hours of operation, 9am to 6pm Monday to Saturday and 10am to 4pm Sundays and bank holidays are considered reasonable within this mixed-use context and would be comparable to those of the current use across the site. It is recommended that these hours are secured by condition.

Daylight/Sunlight, enclosure and outlook

The proposed new building would be located adjacent the northern boundary of the site, opposite the rear elevation of the three-storey dwelling at No. 21 Malthouse Court to the east and the two-storey property at No.8 Valley Road to the west, while in the oblique views of their respective adjoining nieghbouring properties.

No.21 Malthouse Court

The side elevation of the proposed building would be positioned directly opposite the rear elevation of No.21 Malthouse Court. The neighbouring property sits circa 1.3m lower than the application site, with a separation distance of circa 10.13m between the proposals and the neighbours rear

elevation. The proposed building would have an eaves height of circa 4.3m with a pitched roof and ridge height of 6.1m. In the absence of sufficient evidence regarding internal layouts, a worst-case scenario has been applied, with the rear elevation assumed to serve habitable room windows at all levels.

The proposal would result in a more defined and consolidated form of development at the site boundary. It is acknowledged that the building would be visible from the rear-facing windows of No.21 and would introduce a change to the existing outlook, particularly at ground floor level.

However, the building would present as a side elevation and, when viewed across a separation distance of circa 10.13m, would not give rise to an unacceptable sense of enclosure or appear unduly overbearing. The scale, separation distance and relationship between the proposed building and the neighbouring property would be such that the development would not result in an unacceptable loss of daylight or sunlight to habitable rooms. Upper-floor windows would also retain a reasonable level of outlook beyond the site.

No.8 Valley Road

The proposed building would present a side (gable) elevation facing the rear elevation of No.8 Valley Road at a separation distance of circa 9m. The structure would have an eaves height of circa 4.34m and a maximum height of circa 5.1m with a mono pitched roof. The neighbouring property is understood to be served by a habitable room window at ground floor level, including a window and glazed door serving a likely kitchen/dining area, with first floor windows comprising a bedroom (habitable) and bathroom (non-habitable).

A substantial boundary treatment of circa 3m in height is shown along the shared boundary, which reflects an established arrangement on site. As such, the ground floor windows of No.8 Valley Road already experience a constrained outlook towards the site. The proposed development would extend above this boundary treatment by a relatively limited degree, with the mass broken by the roof form and, when viewed across the separation distance, would not materially worsen the existing relationship at ground floor nor give rise to an unacceptable sense of enclosure at first floor.

In terms of daylight and sunlight, the combination of the separation distance, the orientation of the development as a side elevation, and its overall scale and form are such that the proposal would not result in a significant loss of light to habitable room windows. The existing relationship, which currently comprises views towards a commercial car wash site with associated structures, also limits the sensitivity of the outlook, particularly at first floor level. Adequate outlook and light would be retained.

Other neighbouring properties

The remaining neighbouring properties, including Nos 23-27 Malthouse Court and dwellings along Valley Road, are not directly affected by the proposed

building and are separated by intervening structures and boundary treatments. Existing development to the north, which is of a comparable or slightly greater height, already defines some amenity impacts for properties on Malthouse Court. As such, the proposal would not result in any significant loss of daylight, sunlight, outlook or lead to a sense of enclosure to the remaining neighbours.

Conclusion on amenity

Having regard to the relationship with surrounding properties and the existing commercial use of the site, the proposed development would not result in unacceptable impacts in terms of outlook, enclosure, daylight, sunlight or noise and disturbance. Whilst some changes to outlook would occur in certain instances, this would not be of a degree that would justify refusal, and impacts arising from the use can be appropriately controlled by condition where necessary. Overall, the proposal is considered to comply with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

4. Impact on Highway Safety

Policy LP21 of the Kirklees Local Plan requires development to provide safe, convenient, and efficient access for all users, including pedestrians, cyclists, public transport users and vehicles. Proposals must not result in an unacceptable impact on the highway network.

Policy LP22 sets out parking requirements stating that developments should provide appropriate provision for vehicles in accordance with the Council's adopted parking standards. This includes on-site parking for residents and visitors, as well as provision of servicing and deliveries where relevant.

These policies are underpinned by Chapter 9 of the NPPF which requires that development proposals ensure safe and suitable access for all users, mitigate any significant impacts on the transport network, and provide adequate opportunities for sustainable travel.

The application site is accessed directly from Halifax Road (A649), a classified road, via an existing vehicular access which currently operates on an in/out basis serving the established car wash and tyre-related use. The proposal seeks to retain this arrangement, with internal reconfiguration of the site to provide a more defined circulation route, clear parking spaces and the inclusion of an MOT testing bay.

The introduction of the MOT testing bay would represent a modest intensification of the site, with this element leading to only limited associated vehicle movements and which would not be considered to materially increase traffic generation beyond the existing lawful use of the site. The existing car wash and valeting operations would continue to function as at present, with the proposed internal layout providing adequate space for vehicle circulation

and waiting within the site, thereby reducing the likelihood of overspill onto the public highway.

The Kirklees Highways Development Management Team have been consulted and raised no objection to the proposal, noting that the scale of intensification would be limited and unlikely to result in severe impacts on highway safety or capacity. Existing drainage arrangements are also considered to be sufficient in highways terms.

Overall, the proposal is not considered to result in severe impacts on the highway network and therefore complies with Policy LP21 of the Kirklees Local Plan, the Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

5. Ecology and Biodiversity

The Biodiversity Net Gain (BNG) Technical Advice Note provides local context on implementing BNG and reflects the statutory requirement introduced by the Environment Act 2021, which mandates a minimum 10% biodiversity net gain for most developments.

Chapter 15, Paragraphs 190, 191,192, 194 and 195 of the NPPF (December 2024) collectively seek to protect and enhance the natural environment by securing measurable biodiversity net gains, safeguarding irreplaceable habitats, and ensuring that harm to biodiversity is avoided, mitigated or, only where absolutely necessary, compensated.

Policy LP30 of the Kirklees Local Plan seeks to ensure that development proposals protect and enhance the natural environment. This includes safeguarding species and habitats of principal importance, avoiding significant harm to biodiversity, and securing measurable biodiversity net gains wherever possible.

Policy LP33 of the Kirklees Local Plan sets out the Councils approach to the protection and integration of trees in new development, recognising their contribution to visual amenity and biodiversity.

Principle 7 of the Housebuilders Design Guide Supplementary Planning Document is also of relevance. Which seeks to ensure existing features such as trees, habitats and landscape features are retained. Principle 9 requires that net gains in biodiversity are provided.

The site comprises existing structures and hardstanding within a fully previously developed site. The site does not contain any areas of vegetated habitat and the development would not result in the loss of any on-site habitat. Given the nature and scale of the proposal, which affects less than 25sqm of non-priority habitat and does not involve habitat loss, the development falls within the exemptions set out under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024. Notwithstanding this, the

development will incorporate biodiversity enhancements in the form of integrated bird nesting boxes within the new building.

In light of the above, the proposal is considered to accord with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework, in so far as it does not result in harm to biodiversity or ecological interests.

6. Ground Conditions

Chapter 15 of the NPPF promotes safe and healthy living environments and requires that land contamination and other environmental constraints are considered and mitigated as part of the planning process. Policies LP51 and LP53 of the Kirklees Local Plan seek to ensure that development does not cause, or result in exposure to, pollution or environmental risks that would be harmful to human health or the environment. These policies require developments to be appropriately assessed and, where necessary, remediated to ensure that sites are suitable for their intended use.

The application site is identified as being located within an area of potentially contaminated land and has been subject to long-standing commercial uses. Whilst the proposed use would remain commercial in nature, the introduction of a permanent structure of this scale and its associated ground works has the potential to disturb any contaminants present. As such, it is considered necessary to secure a Phase 1 Preliminary Risk Assessment by condition, with provision for further investigation and remediation where required. The site also lies within Coal Authority Development Low Risk Area. In accordance with the Coal Authority's Standing Advice, no further assessment or mitigation required. In light of the above, it is considered that subject to conditions, the development would comply with Policy LP53 of the Kirklees Local Plan and with Paragraphs 196 and 197 of the National Planning Policy Framework.

7. Drainage

Chapter 14 of the NPFF seeks to direct development away from areas at risk of flooding and ensure that new development does not increase flood risk elsewhere. It also requires that surface water is managed using SuDs where possible and that developments are supported by appropriate drainage infrastructure, taking into account ground conditions and pollution risk.

Policy LP28 of the Kirklees Local Plan reflects these national objectives, requiring all new development to incorporate appropriate foul and surface water drainage arrangements, including SuDs where feasible, and to ensure that any such infrastructure does not increase flood risk or lead to pollution on or off site.

The application site is fully hard surfaced and operates as an established car wash and tyre facility, with existing drainage infrastructure evident across the site, including surface water channels/gullies. Whilst the proposed development would introduce additional built form, it would not materially

increase the overall extent of impermeable surfacing. As such, the development is not expected to give rise to a significant increase in surface water runoff. The proposal is therefore considered acceptable in drainage terms and accords with Policy LP28 of the Kirklees Local plan.

The operator may require any relevant trade effluent consent from the statutory sewerage undertaker (Yorkshire Water) under separate legislation.

8. 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.

The applicant has submitted a Climate Change Statement in support of the application, which outlines measures to minimise energy demand through the use of energy-efficient lighting and maximizing natural daylight via roof design. Materials are to be locally sourced, reducing embodied carbon associated with construction. Given the scale and nature of the development, limited opportunities exist for renewable or low carbon energy generation.

Overall, it is considered that the measures outlined in the submitted Climate Change Statement represent a proportionate response climate change objectives and it is not considered to conflict with the Council's aims in achieving net zero nor would the proposal conflict with Policy LP51 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

9. Representations

There were no public letters of representation received.

10. 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; the

proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation **CONDITIONAL FULL PERMISSION**

Decision Authorisation: Delegated Powers

Application Number: 2025/90556

Officer Recommendation: CONDITIONAL FULL PERMISSION

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 (as amended).

1. 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 Policy LP1, 2 , 21, 22, 24,26, 28, 30, 51 and 52 of the Kirklees Local Plan and Chapters 2, 4, 6, 11, 12, 14 and 15 of the National Planning Policy Framework.

2. The use of the site shall not operate outside the following hours:

    - 09:00 - 18:00 Monday - Saturday
    - 10:00 - 16:00 Sunday and Bank Holidays

    Reason: To ensure that the proposed uses do 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.

3. The area identified as the MOT testing bay on Drawing no. 25-005-PL22 tilted “Proposed Ground Floor Plan” shall be used solely for the statutory testing of vehicles and for no other purpose, including any vehicle repair, servicing maintenance or dismantling. **Reason:** To define the scope of permission and to protect the amenity of neighbouring occupiers in accordance with Policy LP24 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

4. No external lighting shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved

details. **Reason:** In the interests of residential amenity, in accordance with Policy LP24 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

5. No external amplified sound or public address systems shall be used on the site. **Reason:** In the interests of residential amenity, in accordance with Policy LP24 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

6. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. **Reason:** This is a pre-commencement condition to ensure adequate site investigations are undertaken at an appropriate time, 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. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 7, groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. **Reason:** This is a pre-commencement condition to ensure adequate site investigations are undertaken at an appropriate time, 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.

8. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 8, further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. **Reason:** This is a pre-commencement condition to ensure that adequate remediation measures are undertaken at an appropriate time, 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.

9. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to

condition 9. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, 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. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy. **Reason:** This is a pre-commencement condition to ensure that adequate remediation measures are undertaken at an appropriate time, 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.

10. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures 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 2024.

NOTE: The granting of planning permission does not authorise the carrying out of works within the highway, for which the written permission of the Local Highway Authority is required. You are required to consult the Local Highway Authority Design Engineer (Kirklees Street Scene: 01484 221000) at the earliest opportunity in the development process to obtain approval of the design details, agree the mechanism for delivery, and obtain the necessary permissions / permits to enable the delivery of the site access(es).

This process will involve entering into a Section 184 agreement of the Highways Act 1980 or other appropriate agreement to enable delivery of the works. The applicant is advised to make early contact with the Local Highway Authority Design Engineer, to ensure that the delivery of the works does not delay occupation of the development.

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: The developer is reminded that, notwithstanding the granting of planning permission, the development will require a permit from the relevant water undertaker (in this case Yorkshire Water) to discharge trade effluent into the public sewer network.

NOTE: The granting of permission does not override the requirements of the Wildlife and Countryside Act 1981 (as amended) or the Conservation of Habitats and Species Regulations 2017 (as amended). The applicant is reminded that, under these Acts, it is an offence to kill, injure or disturb bats, or to damage or destroy the breeding sites or resting places of bats or wild birds. If bats or evidence of bats are discovered during works, all works should cease immediately, and the advice of a suitably qualified ecologist should be sought.

NOTE: No construction related noise shall be audible beyond the site boundary outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays. To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan.

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.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Site Location Plan	25-005 - PL01	-	24/02/2026
Existing Site Plan	25-005-PL02	-	24/02/2026
Proposed Site Plan	25-005-PL21	-	24/02/2026
Proposed Ground Floor	25-005-PL22	-	24/02/2026

Plan Type	Reference	Version	Date Received
Plan			
Proposed Elevations	25-005-PL23	-	24/02/2026
Proposed Sections	25-005-PL24	-	24/02/2026
Neighbouring Impact Assessment	25-005-PL26	-	13/04/202
Cover Letter	25-005	-	24/02/2026
Design and Access Statement	-	-	24/02/2026
Climate Change Statement	-	-	24/02/2026
Flood map for planning	-	-	24/02/2026

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. Officers requested an additional drawing which shows the relationship between the development and the neighbouring properties in section. This was to assist in the officer's assessment of the development in terms of visual and neighbouring amenity impacts. The proposals were assessed as acceptable.

Report Dated: 22/04/2026

Coal - Low