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

PLANNING PERMISSION FOR DEVELOPMENT

Application Number: 2026/70/90740/W

To: Paige Carpenter,
Lichfields
3rd Floor, 2, Bond Court
Leeds
LS1 2JZ

For: Lidl GB Ltd

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

VARIATION OF CONDITIONS 2 (PLANS), 12 (RETAINING WALLS), 17 (CARBON EMISSIONS), 18 (CRIME MITIGATION STRATEGY), 19 (LANDSCAPING), 20 (NOISE ASSESSMENT), 21 (MATERIALS), 23 (BOUNDARY TREATMENTS) AND 32 (DELIVERY NOISE MANAGEMENT PLAN) ON PREVIOUS PERMISSION 2023/91405 FOR ERECTION OF FOODSTORE (CLASS E) WITH ASSOCIATED ACCESS, PARKING, SERVICING AREA AND LANDSCAPING

At: PART OF FORMER ST LUKE'S HOSPITAL SITE, BLACKMOORFOOT ROAD, CROSLAND MOOR, HUDDERSFIELD, HD4 5RA

In accordance with the plan(s) and applications submitted to the Council on 16-Mar-2026 [together with those plans and application(s) submitted to the Council on 18-Jan-2024 and incorporated into planning permission 2023/91405 granted on 05-Aug-2025] and subject to the condition(s) specified hereunder:-

1. The development hereby permitted shall be begun on or before 4th August 2028.
Reason: Pursuant to the requirements of Section 91 of the Town and Country.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

3. Trees T1 and T2, as identified in Ecological Impact Assessment ref. 1513_R01d_GB_CW, shall be felled in accordance with the details outlined in paragraph 4.5 of the same document.
Reason: In the interest of preventing undue harm to trees, in accordance with Policy LP33 of the Kirklees Local Plan.

4. No site clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check of the site for active birds' nests immediately before clearance works and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. The written confirmation shall be submitted to the Local Planning Authority to verify that this check has been undertaken.
Reason: To prevent significant ecological harm in respect of direct impacts to birds, their eggs, nests and young in order to accord with Policy LP30 of the Kirklees Local Plan.

<u>Prior to development commencing</u>

5. Prior to development commencing, details of the improvement works to the Turnstone Way and Blackmoorfoot Road junction, as shown on plan ref. 21/209/TR/005 Rev. C (contained within the Transport Assessment ref. 21 209-007.01), shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
• Geometric design of the street layout, including widths, radii, and horizontal and vertical alignment;
• Surface treatments;
• Junction visibility and forward visibility splays, and their treatment;
• Swept paths for the Kirklees Design Refuse vehicle and delivery vehicles; and
• Road markings Thereafter the approved improvement works shall be installed and made ready for use prior to above ground works commencing.
Reason: To ensure that suitable access is available for the development, in the interest of the safe and effective operation of the highway network, in accordance with Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure details of the delivery of important facilities and suitable designs are designed prior to potentially abortive works taking place.

6. Prior to development commencing, notwithstanding the submitted information, details of the junction and associated highway works, between the proposed site access and Turnstone Way have been submitted to and approved in writing by the Local Planning Authority. This shall include:
• Geometric design of the street layout, including widths, radii, and horizontal and vertical alignment;
• Surface treatments;
• Junction visibility and forward visibility splays, and their treatment;
• Swept paths for the Kirklees Design Refuse vehicle and delivery vehicles; and
• Road markings;
No building shall be brought into use until the works to provide the junction have been completed in accordance with the approved details.
Reason: To ensure that suitable access is available for the development, in the interest of the safe and effective operation of the highway network, in accordance with Policy LP21 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure details of the delivery of important facilities and suitable designs are designed prior to potentially abortive works taking place.

7. Prior to development commencing, a Construction (Environmental) Management Plan (C(E)MP) shall be submitted to and approved in writing by the Local Planning Authority. The C(E)MP shall include details of:
• Any phasing of development and timetable of all works;
• Hours of works;
• Construction access arrangements:
• Construction vehicle sizes and routes;
• Numbers and times of construction vehicle movements;
• Locations of HGV waiting areas and details of their management;
• Parking for construction workers;
• Loading and unloading of plant and materials;
• Storage of plant and materials;
• Signage;
• Measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site;
• Street sweeping;
• Measures to control and monitor the emission of dust and dirt during construction;
• Site waste management, including details of recycling/disposing of waste resulting from construction works;
• Mitigation of noise and vibration arising from all construction-related activities, including restrictions on the hours of working on the site including times of deliveries;
• Artificial lighting used in connection with all construction-related activities and security of the construction site;
• Site manager and resident liaison officer contacts, including details of their remit and responsibilities;
• Means of engagement undertaken with local residents, occupants and/or their representatives, and means of continued engagement during the construction process; and

• Engagement with the developers of nearby sites to agree any additional measures required in relation to cumulative impacts (should construction be carried out at nearby sites during the same period).
The development shall be carried out strictly in accordance with the C(E)MP so approved throughout the period of construction and no change therefrom shall take place without the prior written consent of the Local Planning Authority.
Reason: In the interests of amenity, to ensure the highway is not obstructed, in the interests of highway safety, to ensure harm to biodiversity is avoided, and to accord with Policies LP21, LP24, LP30 and LP52 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure measures to avoid obstruction to the wider highway network, to avoid increased risks to highway safety, and to prevent or minimise amenity are devised and agreed at an appropriate stage of the development process.

8. The development shall be carried out in strict accordance with the Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) prepared by HTC, dated August 2025, approved by ref 2025/92887 within the letter dated 15/07/26 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 8).
Reason: To ensure avoidance of impacts to protected and priority species in order to prevent significant ecological harm in accordance with Policy LP30 of the Kirklees Local Plan. This pre-commencement condition is necessary to ensure measures to avoid biodiversity impacts are devised and agreed at an appropriate stage of the development process.

9. The development shall be carried out in strict accordance with the temporary drainage plan ref. DR-C-0105 rev P03 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 9), which shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.
Reason: To ensure the effective disposal of surface water from the development (including its internal roads) so as to avoid an increase in flood risk and so as to accord with Policy LP28 of the Kirklees Local Plan.

10. [DELETED, following determination of Discharge of Condition application 2025/92887]

11. In the event that contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Ground Investigation 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 two working days. Works shall not recommence until a Remediation Strategy has 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 Remediation Strategy.
Reason: So as to prevent land, groundwater and surface water contamination, to ensure the site is fit to receive new development in the interest of health and safety, so

as to accord with Policy LP53 of Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

12. Prior to development commencing (other than site clearance works that would not include any excavation works) a scheme detailing locations and including cross sectional information together with the proposed design and construction details for all new retaining walls / building retaining walls adjacent to the existing / proposed highways shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and completed prior superstructure works being commenced on any part of the food store building. The new retaining wall shall be appropriately maintained throughout the lifespan of the development.
Reason: To ensure the stability of retaining structures on site, for the safe and efficient operation of the highway and to comply with Policy LP21 of the Kirklees Local Plan.

<u>Prior to the above ground works commencing</u>

13. The development shall be carried out in strict accordance with the Biodiversity Enhancement & Management Plan prepared by Tyler Grange, ref. 15131_R03-BP, approved pursuant to condition 13 under application ref: 2025/92887 within the letter dated 15/07/26 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 13).
Reason: In order to ensure the development provides ecological enhancement and creation measures sufficient to provide a biodiversity net gain in accordance with Policy LP30 of the Kirklees Local Plan and the National Planning Policy Framework.

14. The approved scheme relating to surface water from vehicle parking and hard standing areas approved pursuant to condition 14 under application ref: 2025/92535 within the letter dated 08/01/26 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 14), shall thereafter be undertaken with the approved details.
Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.

15. [DELETED, following determination of Discharge of Condition application 2025/92535]

16. No part of the development shall be occupied until the drainage strategy plan ref. 21561-DR-C-0100 rev P12 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 16), hereby approved has been provided on the site to serve the development and shall be retained thereafter.
Reason: In the interest of ensuring an appropriate surface water system and mitigation of flood risk, in accordance with Policies LP27 and LP28 of the Kirklees Local Plan.

17. The reduced carbon emissions scheme approved pursuant to condition 17 under application ref: 2025/92676 within the letter dated 02/02/26 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 17), shall be incorporated into the development during construction and shall thereafter be retained as such.
Reason: To ensure that the proposed development contributes to the council's target of achieving 'net zero' carbon emissions by 2038 and thereby reducing the causes of climate change, and to accord with the aims of Policy LP24(d) of the Kirklees Local Plan.

18. The development shall be carried out in strict accordance with the Crime Mitigation Strategy approved pursuant to condition 18 under application ref: 2025/92676 within the letter dated 02/02/26 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 18), which shall be implemented on site, prior to the development being occupied and shall thereafter be retained.
Reason: To mitigate the harmful impacts of crime, and the perception of crime, in the interest of residential amenity and to comply with Policy LP24 of the Kirklees Local Plan.

19. The development shall be carried out in strict accordance with the soft landscape works approved pursuant to condition 19 under application ref: 2025/92535 within the letter dated 08/01/26 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 19), and shall be confirmed in writing to the Local Planning Authority prior to the date agreed in the implementation programme. If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of the provision and establishment of acceptable landscape scheme to ensure a good quality development, in accordance with Policy LP24 of the Kirklees Local Plan.

20. The development shall not be brought into use until all works comprised within the measures specified in the addendum noise assessment report approved pursuant to condition 20 under application ref: 2025/92676 within the letter dated 02/02/26 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 20), have been carried out in full and such measures shall be thereafter retained.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Prior to specific trigger

21. The development shall be built in strict accordance with the external facing materials plan ref: T200 rev C, approved pursuant to condition 21 under application ref: 2025/92676 within the letter dated 02/02/26. In the event that updated external materials details are submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 21, the development shall be built in strict accordance with those details.
Reason: In the interests of the visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

22. Prior to their use, details of all the external facing materials for the proposed retaining walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials, prior to the hereby approved building being brought into use.
Reason: In the interests of the visual amenity and to accord with Policy LP24 of the Kirklees Local Plan.

23. The boundary treatments shall be installed in accordance with the boundary treatment plan reference: P1406 rev E (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 23) prior to the development being brought into use, and shall thereafter be retained.
Reason: In the interests of visual amenity in accordance with Policy LP24 Design of the Kirklees Local Plan.

24. The development shall be carried out in accordance with the External Lighting Design Strategy for Biodiversity and Residential Amenity approved pursuant to condition 24 under application ref: 2025/92887 within the letter dated 15/07/26 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 24) and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.
Reason: To safeguard the amenities of the occupiers of nearby properties, to protect wildlife and promote sustainable development in accordance with part 2 and 15 of the NPPF and Policies LP30 and LP52 of the Local Plan.

Prior to the development being brought into use

25. Before the development is brought into use, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include measures to improve and encourage the use of sustainable transport. The measures will include as a minimum:
- The provision of current/up-to-date bus/train timetables and information;
- Car sharing facilities;
- The introduction of working practices to reduce travel demand; and

• The provision of on-site cycle facilities and information. The Travel Plan will include details of when these measures will be introduced. To support the promotion of the use of sustainable modes the travel plan will also include:
• How the Travel Plan will be managed;
• Targets aimed at lowering car use, particularly single occupancy trips, from/to the site;
• A program for monitoring the Travel Plan and its progress; and
• How the Travel Plan and its objective of more sustainable travel will be promoted.
Thereafter the development shall be operated in accordance with the approved travel plan.
Reason: In the interests of promoting sustainable travel, and to accord with Policy LP20 of the Kirklees Local Plan.

26. Prior to the hereby approved development being brought into use, the car park and parking spaces shall be surfaced and marked out into bays in accordance with approved plan P1401 rev L. The car parking spaces shall thereafter be retained in accordance with approved details.
Reason: In the interests of highway safety, and to accord with Policy LP21 of the Kirklees Local Plan.

27. Prior to the hereby approved development being brought into use, a strategy for the permanent closure and making good for the existing access onto Blackmoorfoot Road shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include any redundant footway crossings being removed and the footway reinstated. Thereafter, prior to the occupation of the hereby approved development, the approved works shall be implemented in full.
Reason: In the interests of highway safety, to avoid any danger and inconvenience to highway users in accordance with Policy LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

28. Prior to the hereby approved development being brought into use, the development's ventilation and extraction systems shall be installed in accordance with the details outlined in the document Ventilation & Extraction Statement by DDA Building Services/Consultant Engineers (or any equivalent updated document that is subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 28). Thereafter, the site's ventilation and extraction systems shall be retained and maintained in accordance with the approved details.
Reason: In the interest of preventing harmful odour pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.

29. Prior to the hereby approved development being brought into use, five Sheffield cycle hoops shall be installed in accordance with the details shown on plan ref. P1401 rev M. Thereafter the cycle hoops so installed shall be retained.
Reason: To promote alternative means of travel, in accordance with Policy LP21 of the Kirklees Local Plan.

30. Prior to the hereby approved development being brought into use, details of staff cycle storage facilities shall be submitted to, and approved in writing by, the Local Planning Authority. The cycle facilities shall be suitably safe from the elements and crime. Thereafter, the approved cycle facilities shall be installed on site, prior to the development being brought into use, and shall thereafter be retained.
Reason: To promote alternative means of travel, in accordance with Policy LP21 of the Kirklees Local Plan.

31. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy pursuant to condition 11 a Validation Report 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 Validation 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 the National Planning Policy Framework.

32. The development shall be carried out in strict accordance with the Delivery Noise Management Plan approved pursuant to condition 32 under application ref: 2025/92676 within the letter dated 02/02/26 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 32) and shall thereafter be adhered to.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

33. The development shall be carried out in strict accordance with the approved dedicated facilities for charging electric vehicles pursuant to condition 33 under application ref: 2025/92379 within the letter dated 01/05/26 (or any details subsequently submitted to and approved in writing by the local planning authority, via an application for the approval of details reserved by condition 33), prior to occupation and retained for use thereafter.
Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

<u>Ongoing requirements</u>

34. The use hereby permitted shall not be open to customers outside the hours of:
- Monday to Saturday: 0800hrs to 2200hrs
- Sunday: 1000hrs to 1800 hrs.

Reason: To ensure that the proposed use does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

35. There shall be no deliveries to or dispatches from the premises outside the hours of:
• Monday to Saturday: 0800hrs to 2200hrs
• Sunday: 1000hrs to 1800hrs.
Reason: To ensure that the proposed use does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

36. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. “Rating level” and “background sound level” are as defined in BS 4142:2014+A1:2019.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

37. The development shall operate with no more than 1,331sqm (square metres) of net internal sales floorspace and 2,000sqm of gross internal floorspace. The quantum of net internal sales floorspace dedicated to comparison goods shall be no more than 248sqm with the remaining net internal sales floorspace dedicated to convenience goods.
Reason: To ensure the retail store operates in the manner originally proposed throughout the lifetime of the permission in accordance with the requirements of Local Plan Policy LP13 (Town Centre Uses) and Chapter 7 of the National Planning Policy Framework.

38. The development shall not be sub-divided to form multiple planning units and shall remain as a single planning unit in perpetuity.
Reason: To ensure the retail store operates in the manner originally proposed throughout the lifetime of the permission in accordance with the requirements of Local Plan Policy LP13 (Town Centre Uses) and Chapter 7 of the National Planning Policy Framework.

Note: It is the developer and landowner’s responsibility to secure a safe development. Note: Please note that the granting of planning permission does not override any private rights of ownership and it is your responsibility to ensure you have the legal right to carry out the approved works, as construction and maintenance may involve access to land outside your ownership

Note: 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.

Note: The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

Note: 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:

- Monday to Friday: 0730 – 1830
- Saturday: 0800 – 1300
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
(S73) Setting Out Proposed Site Plan	P1401	M	30/06/2026
(S73) Proposed Site Plan with Houses FFL	P1409	D	30/06/2026
(S73) GA Proposed Site Plan	P1400	B	30/06/2026
(S73) Proposed Crime Prevention Site Plan	P1408	C	30/06/2026
(S73) Street Scene - Turnstone Way	P1303	C	30/06/2026
(S73) Proposed Site Lighting Plan	P1407	C	30/06/2026
Landscape Details	R/2682/1K	-	30/06/2026
(S73) Proposed Boundary Treatment	P1406	E	23/06/2026
(S73) Proposed Sections CC	P1302	B	22/06/2026
Proposed levels	21561-DR-C-0110	P06	22/06/2026
(S73) Proposed Surface Treatment	P1402	B	22/06/2026
Drainage Strategy	21561-DR-C-0100	P12	22/06/2026
(S73) Proposed Sections AA BB	P1301	C	22/06/2026
(S73) Proposed Elevations - Material Details	P1211	-	16/03/2026
Temporary Drainage	DR-C-0105	P03	16/03/2026
(S73) Proposed Floor Plan	P1110	-	16/03/2026
(S73) Proposed Roof Plan	P1111	-	16/03/2026
(S73) Proposed Elevations	P1210	-	16/03/2026
(S73) Existing Site Plan	P1411	A	16/03/2026

(S73) Site Location Plan	P1410	A	16/03/2026
Noise Impact Assessment	NIA/10533/22/10679/v8/Blackmoorfoot Road, Lidl		16/03/2026
Flood Risk Assessment	21561-FRA-001	H	16/03/2026
Surface Water Drainage Maintenance and Management Schedule	21561	-	16/03/2026
Briefing Note – Retail statement	63026/01/JW/TW	-	16/03/2026
Design and Access Statement	March 2026	-	16/03/2026
Received via Discharge of Condition 2025/92887			
Various drawings and documents submitted pursuant to 8, 10, 13 and 24 and approved on 15/07/2026	See decision notice letter – dated 15/07/2026	-	Various
Received via Discharge of Condition 2025/92676			
Various drawings and documents submitted pursuant to conditions 17, 18, 20, 21, 23 and 32 and approved on 02/02/2026	See decision notice letter – dated 02/02/2026	-	Various
Received via Discharge of Condition 2025/92535			
Various drawings and documents submitted pursuant to conditions 14 and 19 and approved on 08/01/26	See decision notice letter – dated 08/01/26	-	Various
Received via Discharge of Condition 2025/92379			
Various drawings and documents submitted pursuant to condition 33	See decision notice letter – dated 01/05/26	-	Various
Received via original application 2023/91405			
Tree / Arboricultural Survey	AWA5710	-	18/12/2023
Supporting Information	Preliminary Appraisal Report (Desk-Top Study)	-	18/12/2023
Supporting Information	St Luke's Hospital Energy & Sustainability Statement	-	18/12/2023
Supporting Information	Ventilation and Extraction Statement	-	15/05/2023
Noise Assessment	NIA/10533/22/10679/v4/ Blackmoorfoot Road, Lidl	-	18/12/2023
Air Quality Assessment	GM12449	-	18/12/2023
Air Quality Assessment	Technical Note	-	18/12/2023

Ecological/Biodiversity Statement	Ecological Impact Assessment	-	18/12/2023
Retail Assessment	Planning and Retail Statement	-	15/05/2023
Retail Assessment	Updated Retail Assessment Summar	-	18/12/2023
Transport Assessment	Transport Assessment	-	18/12/2023
Transport Assessment	Technical Note (ref. 21-209 007.01)	-	13/05/2023
Transport Assessment	Travel Plan	-	18/12/2023
Transport Assessment	Road Safety Audit: Stage 1	-	22/05/2023
Transport Assessment	Road Safety Audit: Stage 1: Designers Response	-	22/05/2023

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

In this instance, officers entered into discussions with the agent to request section plans from East to West and from North to South to fully understand the impact the development could have on the existing adjacent residential properties. These were received on the 21/05/26. Officers have also entered into discussions with the agent regarding the four EVCP's to be provided, as the discharge of condition application 2025/92379 determined on the 01/05/2026 has secured six, following discussions with KC Environmental Health colleagues. As such, amended site plans have been sought, to show six EVCP's as opposed to the initial four. The conditions and plans table have also been agreed in writing with the agent on the 20/07/2026.

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

Development within a Coal Mining Area

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

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

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

Appeals to the Secretary of State

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

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

whichever period expires earlier.

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

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

- **Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://www.gov.uk/appeal-planning-decision. Further information on the Planning Appeal process can be found**

online at the Planning Inspectorates website https://www.gov.uk/government/organisations/planning-inspectorate.

- **You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.**
- **The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.**
- **The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.**
- **In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.**

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

Purchase Notices

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

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

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

Dated: 23-Jul-2026

Signed:

David Shepherd
Executive Director for Place

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2026/70/90740/W.

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

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

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

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