

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:	2026/62/90921/W
Site Address:	55, Royd Street, Milnsbridge, Huddersfield, HD3 4RB
Description:	Change of use from care home (Class C2) to education facility (Class F1(a)) and associated alterations
Recommending Officer:	Nicole Helliwell

DECISION – Conditional Full Permission

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 07 August 2026

Officer Report

Reference No. 2026/62/90921/E

Site Address: 55, Royd Street, Milnsbridge, Huddersfield, HD3 4RB

Proposal: Change of use from care home (Class C2) to education facility (Class F1(a)) and associated alterations.

Site Description

The application relates to 55 Royd Street, a vacant two-storey detached building situated in Milnsbridge, Huddersfield. The site is unallocated on the Kirklees Local Plan and is located within a predominately residential area. The surrounding properties are highly varied in age, size, style, and materials. The site is not within a conservation area, nor are there any listed buildings or Public Rights of Way (PROW) within close proximity to the site.

Description of Proposal

The applicant is seeking planning permission for the change of use from a care home (Class C2) to an education facility (Class F1(a)) and associated alterations. The facility would specialise in providing education for children aged 11-16 with additional needs. The details of the proposal are summarised below:

- No external alterations are proposed to the original building.
- The existing hardstanding is to be extended to accommodate up to 7 vehicles
- The existing outbuilding is to be utilised as cycle storage for up to 10 cycles
- The opening hours would be 08:00am to 17:00pm Monday-Friday.
- There would be 14 full time employees in total.

History of negotiations / amendments received

Additional information has been received during the course of the application to address comments from KC Ecology. Officers have reviewed and accepted the Preliminary Bat Roost Assessment subject to the recommended conditions.

Relevant Planning History

Not Applicable.

Representations

The application was advertised by site notice, which expired on 27th May 2026. As a result of the above publicity, no representations have been received.

Parish/Town Council Comments

Not Applicable.

Local Ward Members

Not Applicable.

Consultation Responses

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

KC Trees – No objection

KC Crime Prevention – No objection subject to recommended condition

KC Ecology – No objection subject to recommended conditions

KC Highway Development Management – No objection

KC Environmental Health – (Informal) No objection subject to recommended conditions

Planning Policy Background

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).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 21** - Highway Safety and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 30** - Biodiversity & Geodiversity
- **LP 49** - Educational and Health Care Needs
- **LP 52** - Protection and Improvement of Environmental Quality

In this case, the following SPDs are applicable:

- Highways Design Guide SPD (adopted 4th November 2019)
- Biodiversity Net Gain Technical Advice Note (adopted 29th June 2021)

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 12** - Achieving Well-Designed Places
- **Chapter 14** - Meeting the Challenge of Climate Change, Flooding and Coastal Change
- **Chapter 15** - Conserving and Enhancing the Natural Environment

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16th December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

1. Principle of Development

The site is without notation on the Kirklees Local Plan. Policy LP1 of the Kirklees Local Plan 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, in order to protect and enhance the character of places, all development proposals should seek to build on the opportunities and help address the challenges identified in the Local Plan.

Paragraph 100 of the National Planning Policy Framework recognises the importance of ensuring that there is sufficient choice of school places available to meet the needs of existing and new communities, and that Council's should give great weight to the need to create, expand or alter schools; and work with school promoters to identify and resolve key planning issues before applications are submitted.

LP49 of the Kirklees Local Plan states that proposals for new or enhanced education facilities will be permitted where:

- a. they will meet an identified deficiency in provision;
- b. the scale, range, quality and accessibility of education facilities are improved;
- c. they are well related to the catchment they are intended to serve to minimise the need to travel or they can be made accessible by walking, cycling and public transport.

This application is for the change of use and alterations to convert a care home (Class C2) to an education facility (Class F1(a)). The submitted Planning Statement outlines that the school would provide a specialised service that meets the needs of children and young people who cannot be catered for within the mainstream education system. Therefore, officers consider that the educational facility is unlikely to compete directly with other schools in the district and would meet an identified deficiency in provision in accordance with LP49a.

With regard to LP49b, the proposal would facilitate the reuse of a vacant building and would improve the scale, range, quality and accessibility of education facilities within the area.

In relation to LP49 (c), transport considerations have been addressed with the highway safety section of the report. The educational facility would provide new school places for children and young persons with additional needs and would not specifically serve a catchment but the wider area. The facility would be located close to public transport and local services. However, it has been confirmed that trips are expected to be with the Local Authority home-to-school transport service.

In view of the above, the proposal would comply with Policy LP49 of the Kirklees Local Plan and as such, the principle of development is considered acceptable. The proposal shall now be assessed against all other material planning considerations, including visual and residential amenity, as well as highway safety. These issues along with other policy considerations will be addressed below.

2. Impact on Visual Amenity

Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states: *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

The submitted plans confirm that no external alterations are proposed to the original building as part of the application. Whilst minor alterations are

proposed to the area of hardstanding within the site to provide additional parking provision, officers consider that the proposal would not have any significant visual impact on the character and appearance of the surrounding area complying with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 of the National Planning Policy Framework.

3. Impact on Residential Amenity

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

The proposed development would not include any exterior alterations to the original building and therefore the proposal would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of the neighbouring occupants, over and above the existing arrangements on site.

Having considered the above factors, the development proposed would have an acceptable impact upon the residential amenity of the neighbouring occupants and would comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Paragraph 135(f) of the National Planning Policy Framework.

4. Impact on Highway Safety

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

This application is for the change of use from a care home to an educational facility with associated alterations at an existing building with an access on to Royd Street, a 30mph two-way single carriageway of approximately 7.9m width with footways on both sides and street lighting present. Royd Street hosts a medium frequency bus route and there are stops within 110m of the building. The closest convenience store is approximately 115m away from the building. The application was accompanied by a Travel Plan dated March 2026.

The proposals are for a change of use from a dementia care home use for 13 residents, although it is noted that the building has been unused for at least 10 years, to an education centre for six classes of six pupils aged 11 to 16 with 14 on site staff.

Based on evidence obtained from other similar facilities run by the operators, the staff are expected to generate approximately 8 two-way vehicular trips per day, and these are to be managed by the operation of the travel plan. The pupil drop-off is to be staggered between 08:30am and 09:15am with pick-ups again staggered between 14:45pm and 15:15pm and most of these trips are expected to be with the Local Authority home-to-school transport service. Officers would not expect the trip generation to be sufficient as to have a severe impact on the operation or efficiency of the local highway network.

The proposals will retain the existing vehicular access from Royd Street, and this is acceptable as any intensification from the previous use would be expected to be very low. Nine additional on-site car parking spaces and covered cycle storage for ten cycles are to be provided, as shown on the drawing titled 'Existing & Proposed Site Plans' (reference no. PP - 55RYDSTHD3 - P3). Given the proposed trip generation and availability of sustainable transport links to the site we consider that this number of parking spaces will be sufficient to accommodate the staff and visitor demand.

There is approximately 35m of site frontage on Royd Street that has no parking restrictions and could be used for either drop-off/pick-up parking or overflow staff/visitor parking for up to five vehicles, however spaces cannot be guaranteed. There is also approximately 40m of site frontage on Botham Hall Road to the rear of the site that could accommodate approximately six cars, again these spaces cannot be guaranteed and would be in competing use with the residential properties opposite on Botham Hall Road.

A bin storage location is shown on the drawing titled 'Existing & Proposed Site Plans' (reference no. PP - 55RYDSTHD3 - P3) adjacent to the access. This is approximately 10m from the rear of the adopted highway and may be acceptable as a collection point, however it may require a member of staff to remove and replace the bins at collection times. KC Highways Development Management would recommend checking with the Kirklees Waste Strategy Team in relation to collection requirements.

A Travel Plan was submitted by the applicant, however as this is for an educational establishment, officers would also request that the applicant contacts the Kirklees School Travel Plan team to discuss school travel plan requirements as this is a specialist arrangement not overseen by KC Highways Development Management.

KC Highways DM would not have usually requested a highways travel plan for this type and size of development but are happy to see the applicant wishing to support and promote sustainable and active travel. The Travel Plan contains details of the travel plans objectives, travel plan co-ordinator and their role in administering, promoting and monitoring the travel plan, targets of a 10% reduction in single car driver trips and proposed methods for achieving this, all of which are acceptable. Officers would not require a travel plan monitoring fee for this application and if the applicant proceeds with a school travel plan through the school travel plan team, then we also would not require annual monitoring. With this we consider the application to be acceptable on highways grounds.

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

5. Other Matters

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

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

Biodiversity Net Gain

The application form states that the development subject to the de minimis exemption would be exempt from providing Biodiversity Net Gain. At this stage, Officers are only able to assess this on the basis of submitted information. Should the proposal be considered not exempt by reason of not being this or other relevant categories for the scale of the development then an appropriate condition, supported by a BNG metric submitted for the

approval of the LPA, would be required to ensure on-site BNGs would last for at least 30 years to meet the requirements of this legislation. Therefore, it is considered the proposal would be in accordance with Policy LP30 and LP33 of the Kirklees Local Plan, Principle 9 of the Housebuilders Design Guide SPD and Chapter 15 of the NPPF.

Contaminated Land

The application site is partially located within 250m of a historic landfill site. As such, KC Environmental Health consider it necessary to add an unexpected, contaminated land condition to the decision notice to ensure the proposal accords with LP53 of the Kirklees Local Plan.

Noise

Whilst KC Environmental Health have no objection to the proposed development, they have recommended a condition requiring a noise impact assessment report to be submitted. This is to ensure the nearest sensitive receptors are protected from loss of amenity by way of noise. Officers have also confirmed that they accept the hours of use proposed in the application of 08:00 to 17:00 Monday to Friday.

Ecology

KC Ecology have reviewed the Preliminary Bat Roost Assessment (PRA) (ProHort, June 2026). The report states that the building has Low suitability for roosting bats, due to the presence of a small number of missing tiles. In line with the Bat Conservation Trust Guidelines, an assessment of Low suitability would require a single emergence/re-entry survey. However, the PRA identifies that much of the roof space in this building has already been converted, and no works are proposed that will impact the roof, no further surveys have been recommended. On this basis, officers are satisfied with this assessment and the precautionary methods, and enhancements included in Section 4.2 should be secured as a condition of any consent.

Crime Prevention

Section 17 of the Crime and Disorder Act 1998 places a duty on each local authority to '*do all that it reasonably can to prevent crime and disorder in its area*'. Section 8 ('Promoting healthy and safe communities') of the National Planning Policy Framework states at paragraph 96 that there should be an aim to achieve healthy, inclusive and safe places which: (b) are safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

Policy LP24 sets out that proposals should promote good design by ensuring the risk of crime is minimised by enhanced security, and the promotion of well-

defined routes, overlooked streets and places, high levels of activity, and well-designed security features.

West Yorkshire Police were formally consulted on the proposed scheme and have raised no objection in principle to this application subject to the inclusion of a condition for security measures in the interests of crime prevention, community safety and safeguarding of the site's vulnerable users.

Trees

KC Trees were formally consulted on the application. Officers confirmed that the proposal should not have any impact on the existing trees on the site due to there being no changes in hardstanding or external building. As such, there is no objection from KC trees.

Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, therefore, it is considered necessary for a footnote to be imposed restricting the times when noisy construction activities will be permitted.

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

6. Representations

No representations were received following the statutory publicity.

7. Conclusion

This application for the change of use from a care home (Class C2) to an education facility (Class F1(a)) and associated alterations at 55 Royd Street has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered acceptable.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice. This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation - Delegated Powers

Application Number: 2026/90921

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP49 and LP52 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The development hereby approved shall not be used outside the hours of 08:00hrs and 17:00hrs Monday to Friday.

Reason: To ensure that the proposed use(s) 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.

4. If external lighting is proposed, 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), should be drafted and agreed with the council prior to works commencing on site. The Sensitive Lighting Strategy will demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. Thereafter the agreed lighting scheme shall be implemented, subject to any variations approved in writing by the planning authority. All external lighting shall be installed strictly in accordance with the specifications and locations set out within the Lighting Strategy.

Reason: This condition is necessary in the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

5. No works shall take place until a Biodiversity Mitigation and Enhancement Management Plan *has been submitted to and approved in writing by the local planning authority*. The content of the BMEP shall include measures identified in Section 4.2 of the Preliminary Bat Roost Assessment (PRA) (ProHort, June 2026) and the following:

- Purpose and conservation objectives for the proposed enhancement measures
- Detailed designs to achieve the stated objectives
- Location of the proposed enhancement measures
- Persons responsible for implementing the enhanced measures
- Details of initial aftercare and long-term maintenance.

Reason: This pre-commencement condition is necessary in the interests of biodiversity and in accordance with Policy LP30 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

6. Before the electrical system is installed, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of non-residential parking spaces
- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) Fast (7-23kW) or Rapid (43kW+) charging points will be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points, then a lower number of charging points may be acceptable.

The agreed dedicated facilities for charging electric vehicles are to be installed, maintained and retained thereafter.

Reason: This condition is necessary 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).

7. Before construction work commences a noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- an assessment of all of the noise emissions from the proposed development
- details of existing background and predicted future noise levels at the boundary of nearby premises
- a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such measures shall be thereafter retained.

Reason: This condition is necessary 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.

8. 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 paragraph nos. 196 and 197 of the National Planning Policy Framework.

9. Notwithstanding the submitted details and drawings, the development hereby approved shall not be brought into use until a scheme has been submitted to, and approved in writing by, the Local Planning Authority which sets out all measures to minimise the risk of crime and meet the specific security needs of the application site and the development. The submitted scheme shall include details of the following measures:

- Public address system
- External CCTV and monitored intruder alarm
- Non-accessible windows (above ground floor) with lockable hardware or opening restrictors
- All private areas which are non-accessible to students or visitors should be subject to access control ideally facilitated by encrypted swipe cards or key fobs, using a system with a data logging capacity and compliant with BS EN 60839 - Alarm and Electronic Security Systems and UL293 standards.
- All external doorsets and easily accessible windows should be rated to PAS 24:2022 or equivalent at the very least, and incorporate one pane of laminated glazing or glass tested to BS EN 356:2000 category P1A or above.
- The flat roof at the rear of the property should feature anti-climb measures such as rollers along the edge and anti-climb paint on drainpipes.

- External doorsets should be illuminated with dusk till dawn lighting
- The outbuilding designated to be used as cycle and general store must be equipped with secure doorsets; it should not feature windows.
- Site boundaries should be at least 1.8m high, without footholds, cross members or climbing aids on external or internal face to deter climbing.

Reason: This condition is necessary in the interest of public safety and crime prevention and to accord with Policy LP24 of the Local Plan and advice contained within the National Planning Policy Framework.

NOTE: All noise assessments should be carried out by a competent person. The applicant may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members.

NOTE: A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof. At non-residential developments, the requirement for one standard electric vehicle charging point for at least 10% of parking spaces may initially be reduced to one charging point for at least 5% of parking spaces with the remainder provided at an agreed trigger point. The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity. The installation must comply with all applicable electrical requirements in force at the time of installation.

NOTE: All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. 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: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

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

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan	PP - 55RYDSTHD3 - P1	-	01/04/2026
Existing Floor Plans & Elevations	PP - 55RYDSTHD3 - P1	-	01/04/2026
Proposed Floor Plans & Elevations	PP - 55RYDSTHD3 - P2	-	01/04/2026
Existing & Proposed Site Plans	PP - 55RYDSTHD3 - P3	-	01/04/2026
Travel Plan	-	-	01/04/2026

Plan Type	Reference	Revision	Date Received
Preliminary Bat Roost Assessment	Q-PH-202605-103		12/06/2026
Planning Statement	-	-	01/04/2026
Climate Change Statement	-	-	01/04/2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. Additional information was received during the course of the application to address comments from KC Ecology which was considered acceptable. The agent has confirmed their agreement to the pre-commencement conditions.

Report Dated: 05/08/2026