

**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:	2026/62/91472/W
Site Address:	101, New Street, Huddersfield, HD1 2TW
Description:	Alterations to first floor store to form two apartments
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: 22 September 2026

Officer Report

Reference No. 2026/62/91472/E

Site Address: 101, New Street, Huddersfield, HD1 2TW

Proposal: Alterations to first floor store to form two apartments

Site Description

The application relates to 101 New Street, a commercial building situated in Huddersfield. The property comprises a retail unit at ground floor level and storage at first floor level. The wider area comprises a combination of residential and commercial properties of varying materials and architectural styles. The site is not located near to any public right of ways. However, it is located adjacent to the Huddersfield Town Centre Conservation Area and adjacent to Huddersfield Town Hall a Grade II Listed Building.

Description of Proposal

The applicant is seeking planning permission for alterations to convert the first floor of the building to 2 two bedroomed apartments. Permission is not required for the internal alterations to the building and therefore, the only matters for consideration are the proposed change of use and external alterations. The details of the proposal are summarised below:

- Seven new first floor windows would be installed within the side elevation of the property
- Removal of first floor window within the front elevation of the property
- One new first floor window and an opening would be installed within the rear elevation of the property
- The existing first floor window within the rear elevation of the property would be altered and reduced in size
- 2 Skylights and 1 AOV would also be installed as part of the application
- Waste storage will be provided at ground floor level

Relevant Planning History

- **2025/90557:** Alterations to first floor store to form 4 student flats. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **2013/92857:** Notification of proposed change of use from B1 office to C3 residential for 10 no. apartments and 10 no. studio flats. [Planning application details | Kirklees Council](#) – Details Approved
- **2005/95006:** Removal of existing slate cladding to the car park elevation entrance and replacing with a new render finish. – Conditional Full Permission
- **2000/93076:** Renewal of curtain walling with composite system including double glazing [Planning application details | Kirklees Council](#) - Conditional Full Permission

Representations

The application was publicised by site notice and press advertisement, which expired on 31st July 2026. As a result of the above publicity, one representation has been received. The comments made have been summarised below:

- I support the proposal for flats above the commercial shops in the town centre. It is a very good idea that makes efficient use of existing buildings while providing much needed homes.
- The location is ideal, with easy access to local shops, services, and public transport. There are already similar flats around the next corner, showing that this type of development fits well within the area.
- Overall, I believe this proposal would benefit local people, make better use of the town centre, and provide a good housing option for many residents

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 Environmental Health – No objection subject to recommended conditions

KC Highways Development Management – 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 located within Huddersfield Primary Shopping Area and the Huddersfield Town Centre boundary on the Kirklees Local Plan Proposals Map. The site is also located adjacent to the Huddersfield Town Centre Conservation Area and adjacent to Huddersfield Town Hall a Grade II Listed Building. The most relevant policies for consideration in this case are:

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 11** - Housing Mix and Affordable Housing
- **LP 13** - Town Centre Uses
- **LP 15** - Residential Use in Town Centres
- **LP 17** - Huddersfield Town Centre
- **LP 20** - Sustainable Travel

- **LP 21** - Highways and Access
- **LP 22** - Parking
- **LP 24** - Design
- **LP 28** - Drainage
- **LP 30** - Biodiversity and Geodiversity
- **LP 35** - Historic Environment
- **LP 51** - Protection and Improvement of Local Air Quality
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 53** - Contaminated and Unstable Land

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated August 2026, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Most specifically in this instance, the below chapters are of most relevance:

- **Chapter 3** - Decision-Making Policies
- **Chapter 4** - Achieving Sustainable Development
- **Chapter 5** - Meeting the Challenge of Climate Change
- **Chapter 6** - Delivering a Sufficient Supply of Homes
- **Chapter 7** - Building a Strong, Competitive Economy
- **Chapter 8** - Ensuring the Vitality of Town Centres
- **Chapter 14** - Achieving Well-Designed Places
- **Chapter 15** - Promoting Sustainable Transport
- **Chapter 19** - Conserving and Enhancing the Natural Environment
- **Chapter 20** - Protecting and Enhancing the Historic Environment

Other Guidance Documents:

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

Assessment

1. Principle of Development

Housing Land Supply

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 4 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 1 of Policy S3 of the National Planning Policy Framework (NPPF) advises that *“decisions on development proposals should apply a presumption in favour of sustainable development. This means:*

- a. Policy S4 in this Framework should be applied when considering development proposals within settlements;*
- a. Outside settlements, policy S5 should be applied; and*
- b. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.”*

In the case of applications for residential development such as this, the NPPF adds that policies will normally be considered ‘out of date’ if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing land.

The Local Plan identifies a minimum housing requirement of 31,140 homes between 2013 and 2031 to meet identified needs. This equates to 1,730 homes per annum. National planning policy requires local planning authorities to demonstrate five years supply of deliverable housing sites against their housing requirement.

The 2025 update of the five-year housing land supply position for Kirklees shows 4.18 years supply of housing land, and the 2023 Housing Delivery Test (HDT) measurement which was published on 12/12/2024 demonstrated that housing delivery for Kirklees for the past three years (April 2020-March 2023) has fallen below the 75% pass threshold.

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF Paragraph 1 of Policy S3 which triggers a presumption in favour of sustainable development.

The Council’s inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but

this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officers assessment.

The proposal seeks planning permission for two apartments within Huddersfield and would assist in meeting the housing needs of the Council. This would be 'in line' with the aims of Chapter 6 of the NPPF, which states that small developments such as this can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly.

In terms of design, Policy LP24 of the Kirklees Local Plan is relevant, in conjunction with Chapter 14 of the National Planning Policy Framework. Policy LP24, together with the Housebuilders Design Guide SPD, suggests that proposals should promote good design by ensuring inter alia that the form, scale, layout, and details of all development respects and enhances the character of the townscape, heritage assets and landscape. Furthermore, it requires that proposals protect the amenity of future and neighbouring occupiers and promote highway safety and sustainability.

Town Centre

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 4 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 1a of Policy TC2 of the NPPF relates to ensuring the vitality of town centres and states that *"In considering proposals for development in town centres, substantial weight should be given to the benefits of supporting the overall vitality and viability of the centre, including where this can be achieved through the diversification of uses, intensification and provision of residential accommodation."*

The site falls within Huddersfield Town Centre and therefore, Policy LP13 of the Kirklees Local Plan is relevant. The policy encourages development that supports a strong, diverse economy that serves the local community by encouraging the vitality and viability of existing town centres. The National Planning Policy Framework supports a mixed-use town centre that includes housing to grow and strengthen town centres.

Policy LP15 of the Kirklees Local Plan relates to residential use in town centres. Proposals for residential uses within the defined town centres as set out on the Policies Map will be supported subject to:

- a. the protection of primary shopping areas, primary and secondary shopping frontages, and space for other main town centre uses within the defined centre. Residential proposals in these areas shall normally only be permitted on upper floors, and shall not prejudice existing established uses;*
- a. the protection of the character of the centre, and the local street scene. Proposals should retain and enhance the design and heritage features of buildings;*
- b. the protection and retention of existing ground floor uses and active frontages both within and outside the primary shopping area,*
- c. the protection of the amenity of existing residents and future occupiers of the proposed residential use in accordance with amenity and design policies within the plan, and will in particular consider matters such as privacy, noise and air quality;*
- d. the provision of space for the storage of sustainable modes of transport such as bicycles, where appropriate charging points of electric vehicles, and access to public transport;*
- e. the provision of space for vehicular parking which is appropriate to the scale of the proposal, particularly where it would otherwise cause highway and pedestrian safety concerns;*
- f. provision of affordable housing in accordance with policies set out in the Local Plan; and*
- g. the provision of refuse storage and collection*

The proposal is for 2 two bedroomed apartments within Huddersfield Town Centre. The site is within a sustainable location close to public transport links, services, facilities and amenities. Whilst the proposal would be sited within a primary shopping area, the proposal would be located on an upper floor, and as such it would not result in the loss of an established commercial use. On this basis, the proposal would accord with the aims of LP7, LP13 and LP15 of the Kirklees Local Plan.

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

1. Impact on Visual Amenity and Historic Environment

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 14 (achieving well designed places) whereby Paragraph 1 of NPPF Policy DP3 states: *“Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features*

Paragraph 1 of Policy DP3 of the NPPF sets out that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings. Furthermore, Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness.

The submitted plans confirm that one new first floor window and an opening would be installed within the rear elevation of the property, seven new first floor windows would be installed within the side elevation of the building, the existing first floor window within the rear elevation of the property would be altered and reduced in size and 2 skylights and 1 AOV would also be installed as part of the application. Given that the fenestration proposed would be appropriately designed and would be in keeping with the style of the original build, it is considered that the proposed alterations would respect the visual amenity of the host building and the surrounding area.

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of the wider street scene, complying with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 14 of the National Planning Policy Framework. Furthermore, the proposal would not cause any detrimental harm to the significance of the Huddersfield Town Centre Conservation Area and Grade II Listed, Huddersfield Town Hall and would comply with Policy LP35 of the Kirklees Local Plan, Chapter 20 the NPPF and the requirements of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

2. Impact on Residential Amenity of Neighbouring Residents

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.

Impact on Renaissance Works

Renaissance Works is an apartment building located south of the application site. The submitted plans demonstrate that a distance of approximately 14.7m would be retained between the side elevation of no.101 and the neighbouring property. Whilst new fenestration would be proposed as part of the application, this relationship would remain as existing. For these reasons, it is considered that the alterations proposed would not result in any further harm to the neighbour's residential amenity with regard to overbearing, overshadowing, or overlooking impact.

To the rear (east), the habitable room window serving bedroom 2 of Flat 1 would face the western elevation of Huddersfield Town Hall with a separation distance between the two elevations of approximately 16m. Due to the change in levels between the two buildings and resultant placement of window openings and floors, this is not considered to result in direct relationship, and as such no significant impact upon privacy would occur.

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

3. Impact on Residential Amenity of Future Occupiers

Consideration must also be given to the amenity of future residents of the proposed dwelling. Taking into account Principle 16 of the Kirklees Housebuilders Design Guide SPD which sets out that:

'All new homes should aim to be accessible and adaptable homes to meet the changing needs of occupants over time in accordance with Building Regulations' and that 'All new build dwellings should have sufficient internal floor space to meet basic lifestyle needs and provide high standards of amenity and living environments for future occupiers in accordance with Policy LP24'.

National described space standards require the following gross internal floor area for a one bedroomed, one storey dwelling:

- 1 Bedroom, 1-person dwelling set over 1 storey – 39 (37)* square metres
- 1 Bedroom, 2-person dwelling set over 1 storey - 50 square metres

National described space standards require the following gross internal floor area for a two bedroomed, one storey dwelling:

- 2 Bedroom, 3-person dwelling set over 1 storey - 61 square metres
- 2 Bedroom, 4-person dwelling set over 1 storey - 70 square metres

The proposed floor plans show that flat one would have one bed space and is therefore required to have a minimum internal floor space of 37m². The submitted plans confirm that flat 1 would have an internal floor space of approx. 37m² which would be acceptable. Furthermore, the proposed floor plans show that flat two would have two bed spaces and is therefore required to have a minimum internal floor space of 61m². The submitted plans confirm that flat 2 would have an internal floor space of approx. 69m². As such, both flats would adequately meet basic lifestyle needs and provide a high standard of amenity for future occupiers. It is also noted that each of the habitable rooms would benefit from a sufficient amount of natural light. For these reasons, it is considered that the proposal would provide an acceptable standard of living for future occupants and would accord with LP24(b) of the Kirklees Local Plan, Principles 6 and 16 of the Council's Housebuilders Design Guide SPD, and the aims 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 4 of TR6 of the NPPF states that development proposals should be refused if they would have a severe adverse impact on the transport network or an unacceptable impact on highway safety.

This application seeks approval for alterations to convert the first floor of the building to 1 one bedroomed apartment and 1 two bedroomed apartment. As such, KC Highways Development Management have been formally consulted on the proposed scheme.

The site is on New Street, a part of the Huddersfield town centre pedestrianised zone and access is to be on to Corporation Street. The site is located within the sustainable town centre with stops on a high frequency bus route approximately 100m from the entrance to the building, the bus station approximately 350m away, the railway station approximately 680m away and numerous retails and other services within a short walk.

No trip generation details were provided with the application, but officers consider that, due to the sustainable location of the site and the type of development, any trips generated would not have a severe impact on the operation or efficiency of the local highway network. No parking is associated

with the development, however due to the sustainable town centre location and numerous public car parks being in a short walking distance, KC Highways DM do not see this as a concern.

No details were provided relating to cycle storage at the site. Without any car parking, officers would like to see cycle storage provided to local standards of 1 space per bedroom and accessible, safe and secure storage for 3 cycles provided within the development. The previous permission (25/90557) showed a cycle storage area adjacent to the bin store, and officers would like to see this replicated with the current application and this should be conditioned.

A waste bin storage room is indicated on drawing No UD-640 Proposed Floor Plan, but no collection presentation point is included. KC Highways DM would need to know how collection would be made and who would have the responsibility for returning the bins back to the bin store after collection so that they would not cause an obstruction to the footway or highway for road safety reasons. This may require a waste management plan (WMP) which should contain details of the aforementioned responsibilities, including contact details, and provide information for where the bins will be left for collection, this would need to be in such a place that they would not obstruct the access to the site, or the adopted footway or highway.

Consultation with colleagues in the Kirklees Waste Strategy Team have indicated that collection presentation may be acceptable from the corner of the building at Princess St/Corporation St, however, the applicant will need to ensure that the bins are returned to the bin store soon after emptying and not be left all day and this will need including within the conditioned waste management plan.

Due to the location of the site being within the town centre and adjacent to a pedestrianised zone and with parking in the area controlled by TRO, officers would like to see a construction access management plan that gives details of loading and unloading of plant, contractor's equipment and materials and parking for the workforce. This should take into account the pedestrianised zone and any delivery times and the parking restrictions on the surrounding streets so as not to cause any obstruction of the footway or highway for road safety reasons. This should be conditioned.

On this basis, subject to recommended conditions, 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 15 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.

Odour

The applicant has submitted an Odour Assessment authored by NoiseAir (dated 17 July 2025, reference no. P8726-R1-V1). The document identifies the neighbouring environment and the potential sources of odour which may impact upon the proposed development. In accordance with the Air Quality Management (IAQM) Guidance, an assessment of the odour has been undertaken from four locations as shown in figure 2 with the results discussed in Section 5. The report concludes the impact to be negligible and as such, the findings of the submitted report are accepted.

Noise

The site of the proposed development sits within a busy town centre location. KC Environmental Health have concerns about the impact of any noise on the occupiers of the flats. On this basis, a condition is recommended for a noise impact assessment to be submitted to consider typical town centre noise and any fixed mechanical plant.

Sound Insulation

A higher level of sound insulation is required where commercial and residential uses share a party wall/floor/ceiling. Therefore, KC Environmental Health have recommended a condition for a sound insulation assessment to be submitted to consider this in the interests of protecting the amenity of the occupiers of the flats.

Air Quality

The proposed development is situated within an Air Quality Management Area, it is possible that it will introduce sensitive receptors into an area of known poor air quality. The façade on Peel Street is just above a ramped entrance to an underground delivery car park.

The West Yorkshire Low Emissions Strategy (WYLES) -Technical Planning Guidance, divides applications into 3 impact types (Minor, Medium and Major) using specific criteria to determine the type. Actions and mitigation requirements are dependent on the development use class and which impact type it is classified as.

In order to assess the possible impact on future occupiers, KC Environmental Health expect an Air Quality Screening Assessment to be submitted. If the screening assessment demonstrates a significant impact on air quality, officers would expect a full detailed Air Quality Impact Assessment to be submitted.

Biodiversity Net Gain

The application form states that the development 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.

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

One representation was received during the course of the application. The supporting comments made have been summarised below:

- I support the proposal for flats above the commercial shops in the town centre. It is a very good idea that makes efficient use of existing buildings while providing much needed homes.

- The location is ideal, with easy access to local shops, services, and public transport. There are already similar flats around the next corner, showing that this type of development fits well within the area.
- Overall, I believe this proposal would benefit local people, make better use of the town centre, and provide a good housing option for many residents

7. Negotiations

Amendments were sought during the course of the application. The submitted plans confirmed that the proposed apartments would not accord with the Nationally Described Space Standards. However, revised drawings were received which were considered acceptable with regard to occupier amenity.

8. Conclusion

This application for alterations to first floor store to form two apartments at 101 New 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: 2026/91472

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP11, LP13, LP15, LP17, LP20, LP21, LP22, LP24, LP28, LP30, LP35, LP51, LP52 and LP53 of the Kirklees Local Plan, the guidance within the Council's Highways Design Guide SPD and the aims of the National Planning Policy Framework.

3. The alterations hereby approved shall in all respects match those used in the construction of the existing building. The materials of construction shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Principle 13 of the Council's Housebuilders Design Guide SPD, and the aims of Chapter 14 and 20 of the National Planning Policy Framework.

4. Before construction work commences, a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development including (but not limited to) shall be submitted to and approved in writing by the Local Planning Authority. The report shall:

- a) Determine the existing noise climate
- a) Predict the noise climate in living rooms, bedrooms (night-time) and other habitable rooms of the development
- b) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Reason: This pre-commencement condition is necessary to protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 14 and 19 of the National Planning Policy Framework.

5. Before the development is brought into use written evidence to demonstrate that the airborne sound insulation performance of the party floors/walls/ceiling of the development is of a minimum of 55dB $D_{nTw} + C_{tr}$ shall be submitted to and approved in writing by the Local Planning Authority. If it cannot be demonstrated that the aforementioned airborne sound insulation performance has been achieved, a scheme incorporating further measures to achieve the sound insulation performance shall be submitted to and approved in writing by the Local Planning Authority. All works comprised within those further measures shall be completed and further written evidence to demonstrate that the aforementioned sound insulation performance level

has been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

Reason: This pre-commencement condition is necessary to protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 14 and 19 of the National Planning Policy Framework.

6. Before the development is brought into use, an Air Quality Screening Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall determine the impact that the poor air quality in the area will have on the future occupiers of the proposed development and provide details of any necessary mitigation measures that will be provided to address any such adverse impact. The approved mitigation measures shall be implemented within 3 months from the date of approval and retained thereafter.

Reason: This pre-commencement condition is necessary to promote sustainable development and transport and conserving the natural environment in accordance with Policies LP20, LP24 and LP47 of the Kirklees Local Plan and Chapters 4, 15 & 19 of the National Planning Policy Framework.

7. Before development commences, details of suitable and secure cycle storage facilities, for a minimum of 3 cycles, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: This pre-commencement condition is necessary to comply with the Council's sustainability objectives and to meet the requirements set out in Kirklees Local Plan Policy LP22 part g.

8. Before development commences, details of suitable storage, bin presentation points, responsibilities for moving bins between the storage point and collection point before and after collection (including timeframes for the return of the empty bins) and access for collection of wastes from the dwellings/premises hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: This pre-commencement condition is necessary in the interests of amenity and highway safety and to meet the requirements set out in Local Plan Policy LP24 part d(vi).

9. Before development commences, details of the provision to be made for the parking, loading and unloading of contractors' plant and equipment, the delivery, loading and unloading and storage of building materials and the parking of the workforce during construction works shall be submitted to and approved in writing by the Local Planning Authority.

Reason: This pre-commencement condition is in the interest of highway safety in accordance with Policy LP21 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

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: 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: 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 13.00 hours, 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
Existing Floor Plan	UD-640	-	12/06/2026
Existing Elevations	UD-640	-	12/06/2026
Proposed Floor Plan	UD-640	-	29/08/2026

Plan Type	Reference	Revision	Date Received
Proposed Elevations	UD-640	-	29/08/2026
Heritage Statement	-	-	12/06/2026
Odour Assessment	P8726-R1-V1	1	12/06/2026
Climate Change Mitigation Strategy	-	-	12/06/2026

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. The Case Officer undertook negotiations with the agent to secure amended plans. The revised drawings received were considered acceptable with regard to occupier amenity. The applicant's agent has confirmed their agreement to the pre-commencement conditions.

Report Dated: 18/09/2026