

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:	2026/62/91738/E
Site Address:	6, Station Road, Skelmanthorpe, Huddersfield, HD8 9AU
Description:	Change of use from retail to retail coffee shop and bar with sale of alcohol
Recommending Officer:	Joanna Rednall

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.

John Holmes

AUTHORISED OFFICER

Date: 14th October 2026

The Site

6 Station Road is located in Skelmanthorpe, Huddersfield. The building has a pitched roof and benefits from a single-storey, flat-roofed extension to the front. It is positioned to the east of Station Road, which is a classified C road, and is set back from the highway. A small area of hardstanding is provided to the front of the property.

The site is located within a predominantly residential area, with residential properties surrounding the site to the north, east and south. The property immediately adjoining No. 6 is also in commercial use. The site is located approximately 90 metres north of Skelmanthorpe District Centre.

The site is situated opposite the Skelmanthorpe Conservation Area. There are no Listed Buildings in close proximity to the site.

The Proposal

The applicant is seeking planning permission for use of the ground floor of the building as retail coffee shop and bar with sale of alcohol.

The hours of opening would be 10am – 10pm Monday to Saturday and 10am – 7pm on Sundays and Bank Holidays.

There are no external alterations proposed to the building, the submitted plans indicate the front of the building would be used as a seating area.

History of Negotiations

A Noise Management Plan has been submitted during the course of the application.

Planning History

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

Publicity & Representations

The application has been advertised by site notice and on the Council's website in accordance with the Council's adopted Development Management Charter which incorporates the requirements of article 15 of The Town and

Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Final publicity date expired: 27 October 2026.

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

Letters of objection (36)

- The proposed use as a bar is likely to create a significant increase in noise and disturbance, particularly during the evening and late at night. This is a residential area/village setting, and a bar would inevitably bring noise from customers arriving and leaving, talking outside, car doors slamming, engines running, and general late-night activity.
- There are already ongoing parking issues in the immediate area. Parking is limited, and the presence of double yellow lines already causes difficulties for residents and visitors.
- A bar would increase demand for parking, especially during evenings and weekends, leading to more congestion, unsafe parking, obstruction, and inconvenience for local residents. I am concerned that customers would park on nearby residential streets or in unsuitable locations, worsening an existing problem
- In my view, another bar is not needed in the village and would not positively contribute to the local area. More importantly from a planning perspective, the proposal risks harming the character of what is primarily a residential village environment by introducing a use that is likely to generate late-night activity, noise and disruption out of keeping with the surrounding area.
- Because the premises is located very close to residential homes, the proposal would have an unacceptable effect on neighbouring occupiers through noise, disturbance, vehicle movements and general activity associated with a bar use, particularly in the evenings when residents should reasonably expect peace and quiet in their homes
- Lack of parking and disturbance and noise to the houses nearby. The parking up and down station road is a nightmare already with double parking and this will make it worse. An accident waiting to happen. There are 3 spaces to park outside the building and then people will

double park. It is unsafe near a bend, in an already busy road.

- This application is in a residential area with housing all around. Also on street parking in that area is limited by double yellow lines and there would be no off road parking available. Skelmanthorpe already has at least 10 venues for coffee. There are also 3 side roads in this area. Planning permission is also granted for a house in the current garden of an older house which is also to be redeveloped. The issue will be parking and potential disruption to residents
- Missing Floor Plans: There is no existing floor plan provided to serve as a baseline for the proposed changes. Furthermore, the proposed floor plan illustrates a staircase, but it is entirely unclear where this leads. Clarification is required as to whether this serves a mezzanine level and if this will be utilised as additional floor space in the future.
- Missing Elevations: Neither existing nor proposed elevations have been submitted. This is highly irregular for a change of use that will inevitably require external alterations such as signage, beer cellar cooling, occupancy ventilation and kitchen extracts, all of which need to be shown to understand the potential impact.
- As the site sits on the boundary of a conservation area, any external alterations must be rigorously assessed for their impact on the historic setting. The lack of proposed elevations obscures several inevitable external changes:
 - Signage and Lighting: Details regarding external signage, security/ambient lighting, and any proposed external seating areas have been omitted.
 - MEP and Ventilation Equipment: The transition to a bar and coffee shop will require substantial mechanical, electrical, and plumbing (MEP) infrastructure. A beer cellar necessitates a large external AC cooling unit. Furthermore, upgrading the existing "tea point" to a commercial catering kitchen capable of food preparation (for on- and offpremises sale) will require high-specification extraction and ventilation flues. These external additions will severely impact the visual amenity and the setting of the conservation area.
- There is a significant discrepancy regarding the size of the premises. The application form states the floor area is 140 sq.m; however, dimensions taken from the submitted plans suggest a GIA of around 175 sq.m.

- This calculation assumes the ambiguous staircase does not lead to an additional mezzanine floor, which would increase the GIA further.
 - This underrepresentation is critical, as surpassing the 150 sq.m threshold may trigger additional relevant policy requirements and impact the required application fee.
- The applicant has failed to provide the required sequential test or robust justification demonstrating why this out-of-centre location is acceptable. There is no assessment of the potential negative impact this development would have on the vitality and viability of the established district centre along Commercial Road. Introducing a licensed pub/bar into the middle of a predominantly residential area is fundamentally inappropriate and constitutes an unacceptable expansion of the nighttime economy into a residential zone.
 - No details have been submitted regarding noise generation (e.g., music, late-night dispersal, and external plant equipment) and how this will be mitigated to protect the amenity of nearby residents.
 - Odor Management: No information has been provided on how kitchen odors will be extracted, filtered, and managed.
 - Crime Impact Assessment: Given the introduction of alcohol sales and late-night opening hours, the absence of a Crime Impact Assessment detailing how antisocial opening hours, the absence of a Crime Impact Assessment detailing how antisocial behaviour will be mitigated is unacceptable.
 - The plans lack clarity regarding the front entrance and its interaction with the public footway. It is unclear if new steps are being introduced to manage level changes, whether handrails and guarding will be necessary, or if access requires crossing adjacent land not included within the redline boundary.
 - Delivery and Servicing Arrangements: The plans do not outline how commercial deliveries will be safely facilitated. Station Road is frequently heavily parked, which already reduces the approach to the Commercial Road junction to a single-width carriageway and causes traffic to back up. Attempting to accommodate commercial delivery vehicles in this constrained area will inevitably exacerbate existing highway safety risks.

- Inadequate Parking Provision: The application fails to identify designated parking for the three proposed additional employees, nor does it address where visitors are expected to park. Introducing further demand into an area with pre-existing parking constraints is unacceptable.
- Traffic Generation and Taxi Dispersal: The proposal does not address the inevitable increase in local congestion during peak operating hours. A clear traffic management strategy is required to handle taxi drop-offs, pick-ups
- The unit is totally unsuitable for the proposed usage and is not needed. There are already two coffee shops and two pubs within a few minutes walk of the proposed development. Neither of these have car parks.
- Open windows at the rear face the rear garden of no2 The Foldings allowing bar noise, music and potential cooking odours to be exposed to the entire estate.
- In the case of an emergency/fire exit needing to be used at the rear the only escape would be via the above mentioned windows which are very high from the ground.
- There is no provision in the Application for storage of barrels, bins or waste products of the business (nor does there appear to be any space for these on site).
- It appears that the drains will need to be (and are currently being) adapted to cater for the business and the drains are already fully used and could potentially become blocked with waste products from the business
- I would comment that there seems to have been no public notification of this application. I only became aware of it during discussions with neighbours
- A licensed premises operating as a coffee bar during the day, and potentially as a bar in the evening, will generate materially increased footfall and vehicle movements at a location that cannot accommodate them. This is not a hypothetical concern: a previous change of use application within the same building complex, reference 2018/62/91539/E, was refused on the grounds of inadequate parking provision (Decision Notice 2018/62/91539/E0/NT). The current

proposal does not resolve that underlying parking constraint, and approving it would be inconsistent with that recent precedent for the same site.

- Should the Local Planning Authority nonetheless be minded to grant permission, I would ask that consideration be given to imposing conditions restricting: the use of the outdoor area by customers to no later than 9:00 pm, regardless of the premises' general licensed hours; and the playing of amplified music to no later than 9:00 pm
- Most of the supporting comments would appear to be from people outside of the village, who frequented the bar in its previous location (which was not close to any residential properties and had parking spaces along the road), so where will people park if they are not local? Has this even been considered? Station Road is already dangerous for cars and pedestrians. At busy pub times, people already park on both sides of the road and often leave cars over-night, making the junction onto Commercial Road a bottle neck, with cars queuing past Strike Lane to try and get to the junction and cars not able to pull into the junction, clogging up the main road.
- The proposed development provides only two parking spaces, which is clearly inadequate for a café/bar likely to attract customers, staff and deliveries
- The 'notice' itself has also not been positioned in an obvious place. These are usually put on lampposts so that they can be easily spotted and read, but this has been put in the window where residents have not noticed or read it until recently. It all feels rather backhanded.
- The most guiling thing though, is that work has already begun on the conversion, (documented publicly on the previous bar's Facebook page), before change of premises permission has been granted, and before the public consultation is even over. This demonstrates an assumption that permission will be granted before neighbouring residents' opinions have even been considered, showing a complete disregard for our concerns, complete lack of consideration for our views, and an arrogance that it will go through despite any local opposition. Perhaps it would have been courteous for the new tenant to speak to local residents before applying for this, and certainly before starting noisy, disruptive works, before objections have been received and considered.

- The plans appear to show double doors at the entrance and then a single door leading to the bar area. In an emergency, this may cause a crush problem if people needed to leave the premises quickly, as the only route out is through these doors. If again in an emergency, potential customers attempted to vacate the premises through the back windows, there would be a dangerous drop into a garden below.
- Because there is no designated outdoor smoking area or beer garden included in the application, patrons congregating immediately outside on the public pavement to smoke will result in persistent smoke drift, cigarette litter, and odour nuisance penetrating directly into the windows and outdoor living spaces of nearby homes.
- This area of the village already has a pub, two coffee shops and a wine bar very close to the proposed coffee shop/ bar. I am very concerned about the increase in noise during the evening/ night time especially at closing time as the proposed bar is located in a residential area.
- The application should, in my view, be considered in the context of the existing licensed premises within the village. There is already a pub and two cocktail bars serving the area. Adding another bar could increase the cumulative level of evening and late-night activity, noise and disturbance within what is otherwise a predominantly residential environment.
- A coffee shop during the day will offer very little disruption to the status quo but serving alcohol during the evening will undoubtedly have a detrimental effect. Despite no change of use having yet been approved, the applicant has already constructed a sizeable “smoking area” outside the premises
- At the current time the houses around enjoy what residential areas should which is controlled levels of safety, noise and activity. Introducing a venue like this will vastly increase consumption of alcohol and likely drive causing unsafe activities, noise and potential disruptions which are not in keeping with the area of what we want here. Already we see other similar village licensed premises spilling onto pavements and elderly, children have to walk in the road or simply won't go near as they are afraid

Letters of Support (111)

- This business will add prestige and fun to the area, it will draw people from other areas to spend time and money in Skelmanthorpe and put it firmly on the map.
- This will be another great addition to the village day and night life. It will be visually more appealing than what it is currently.
- The structure and appearance of the building will be improved both inside and out. The coffee shop and bar will be in a central position in the village and close to parking areas so will not increase parked traffic in the immediate area. I believe that the addition of another venue within the village will be welcomed by locals and be an asset to the thriving local business community, thus an improvement for the village as a whole.
- Bring jobs and revenue to the village and surrounding shops/other bars.
- Great use of an un used building and will be great asset to the village
- I feel it will be a great facility for the village.
- Scotty's bar will be a very welcome addition to Skelmanthorpe. I live 400 yds from the site and have no objections at all.
- Supporting another asset to Skelmanthorpe, variation can only be a good thing, and hopefully make Skelmanthorpe a destination along with the other super businesses rather than a place that people pass through
- Based on experience of the previous venue, I'd expect the new venue will be in keeping. This had a very smart appearance and fit in nicely with the building and adjacent shops etc. The design caused no issues in terms of the entrance/exit. I never witnessed any disturbance. Local amenities, especially independent venues. are welcomed to the area.
- It would encourage more people into Skelmanthorpe and provide jobs. It would improve local choice for food and drink whilst making good use of the site.
- The applicant has previously run a bar locally which was exceptionally well managed, welcoming and a real asset to the area. It was greatly

missed when it closed, and I have every confidence that this new coffee shop and bar will be operated to the same high standard.

- This proposal would provide a valuable place for local people to meet and socialise, helping to strengthen the community while also increasing footfall for nearby businesses. A thriving independent venue can have a positive impact on the local economy by encouraging more people to spend time in the area and support other shops and services.
- Current establishments are often overcrowded so this new venture would be a welcome addition to the village
- There used to be a bank near and no issue with parking then so if people want to drive to this they can park in the triangle - a public car park.
- The bar will be an asset to the local area and to residents of surrounding areas
- I believe this will be a great asset to the village and would encourage us to visit more frequently.
- Would be a great addition to the street, just what's needed. Another little bar/cafe for people living at this end of the village, looking forward to a less industrial look on a nice village street.
- The location is very central and he will do a wonderful job for the community
- A venue that can operate as both a coffee shop during the day and a bar in the evening would provide a valuable meeting place for residents of all ages and help strengthen the sense of community
- Many local residents are within walking distance and are likely to walk rather than drive, particularly in the evenings. As the village continues to grow, having more amenities that can be accessed on foot is a positive step towards reducing unnecessary car journeys
- Skelmanthorpe used to have lots of local places for people to visit and it brought people into the village, now so many have closed down

- The bar isn't open till silly hours and doesn't have sports being played so noise isn't an issue. I think it would be a brilliant addition for the village.
- This new space will bring more money in to the village and also bring villages together.
- This venture also has the potential to bring significant benefits to the area. It will create local employment opportunities, support local suppliers and neighbouring businesses, and provide a welcoming venue for networking, social events, and community engagement. Spaces such as this can become valuable hubs where residents, local organisations, and businesses come together to build connections and strengthen community ties.
- The applicants previous venue in Scissett was a fantastic addition to the village and I don't doubt that this venue will be the same for Skelmanthorpe. With so many bars and pubs closing in the local area and around the country, another small, independent business opening in Skelmanthorpe should be celebrated.
- Area doesn't need abandoned units and I support this redevelopment opportunity
- I think changing the property to a coffee/shop and bar will be an asset to the village and am in full support of any proposed plans
- I believe that this will be a great addition to the village, with regards to noise, there has been a pub opposite for over 50 years and there has never been any issues, there are several other bars in the village next to housing with all correct regulations in place, some of these bars and coffee are too far for some residents to walk
- At present, local venues frequently reach maximum capacity, leaving often at times the feeling of being overcrowded and difficulty securing bookings. Introducing a new venue would offer much-needed variety, and encourage residents to stay and still spend an evening within the village; therefore aiding the local economy and providing further employment within the village.
- Skelmanthorpe has diversified already and this will add to the independent and social aspect the village has gained over the past two decades. Impractical businesses have been moved to other locations leaving such buildings abandoned and modernisation is key to keeping

the local economy thriving. Any objections based upon business type need not look further than 30 metres away to the closest other venue that sells alcohol with no major issues.

Letters of Comment (7)

- There is no mention on the plan regarding the use of the outside space or provision of a smoking area.
- I am concerned that if the premises make use of the outside space this will significantly increase noise in the area, which could cause a nuisance to nearby properties, particularly if, after opening they try and extend operating hours.
- Parking on Station Road is already congested and it can be difficult to see past the parked cars to assess whether it is safe to proceed. This development could add to the parking congestion if additional restrictions are not considered.
- Throughout the day the education hub at 2 Station Road has a regular stream of children arriving and leaving, often being dropped off and collected by their parents / carers etc. putting further strain on space for parking and drop off.
- Over the last 10 - 20 years three other licensed premises within Skelmanthorpe have been required to close and it seems incongruous that on that basis a new licensed premises is now required. Admittedly the new premises may well offer a different and attractive venue, that the previous establishments did not, but the refurbished building on the site of the old Windmill pub is still vacant a number of months after completion which potentially highlights a lack of demand.
- In light of the building's proximity to residential buildings it is encouraging to see that the proposal is for a 10 pm closing time. It would seem inevitable that at times the noise of people leaving the premises, late at night, could disturb residents. it would therefore be beneficial if continued licensing could be based on the provision that disturbance to local residents does not happen and that licenses later than 10 pm cannot be permitted
- There are no details within the planning application relating to the use of outside space but the applicant has stated on Facebook that there

will be outside tables which increases concerns relating to noise.

- In addition the applicant has stated on Facebook that building work is well underway to create the bar, and gives every suggestion that opening is a certainty even though the planning consultation period has not closed, which raises concerns about the authenticity of the planning process and whether it is being correctly followed.
- Far too many wine bars in Skelmanthorpe. Major issues with parking. Will cause major noise issues to local residents.
- Bats are nesting nearby.
- There should also be a ban on live and recorded music being played outside the building at any time as the bar is surrounded by houses

Parish/ Town Council Comments

Denby Dale Parish Council: No objections however there were concerns around the increase in traffic and customer parking.

Consultations

KC Crime: no objection subject to conditions relating to CCTV and Intruder and hold-up alarm systems.

KC Environmental Health: following receipt of noise management plan, provided verbal comments that they have no objection. Recommend a condition relating to hours of use / times of deliveries and waste management.

KC Highways Development Management: no objection.

The responses of the above consultees are discussed in greater length within the 'Assessment' section of this report.

Allocation & Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The application site is unallocated within the Kirklees Local Plan. The site does fall within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

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

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP13 Town centre uses
- LP16 Food and Drink uses and the evening economy
- LP21 Highway Safety
- LP22 Parking Provision
- LP24 Design
- LP30 Biodiversity and Geodiversity
- LP35 Historic Environment
- LP51 Protection and Improvement of Local Air Quality
- LP52 Protection and Improvement of Environmental Quality
- LP53 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) published August 2026, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Considered to be of relevance to the consideration of this application are policies within the following chapters:

- Chapter 3 Decision Making Policies
- Chapter 4 Achieving Sustainable Development
- Chapter 5 Meeting the challenge of climate change
- Chapter 7 Building a strong effective economy
- Chapter 8 Ensuring the vitality of town centres
- Chapter 14 Achieving well designed places
- Chapter 15 Promoting sustainable transport
- Chapter 16 Promoting healthy communities
- Chapter 17 Pollution, public protection and security

- Chapter 18 Managing flood risk and coastal change
- Chapter 19 Conserving and enhancing the natural environment
- Chapter 20 Conserving and enhancing the historic environment

Supplementary Planning Guidance

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

Legislation

The Town & Country Planning Act 1990 (as amended).
Section 17 of the Crime and Disorder Act 1998 (as amended).

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

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990

Assessment

1 – Principle of development:

The site is without notation on the Kirklees Local Plan. Policy LP1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

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

Policy LP13 of the Kirklees Local Plan sets out that a sequential assessment is required for all developments (other than non urban development under 150m²) and an impact assessment where the floor space exceeds 800m² for

edge of centre sites. The proposal would not, however, exceed the impact assessment threshold in this case.

Policy LP16 sets proposals for food and drink uses and licensed entertainment uses located outside of defined centres will be subject to criteria b to g of that policy and the requirements for a sequential test. Parts b – g of LP16 relate (in summary) to impacts from noise, disturbance, odour, crime / anti social behaviour, highway safety, waste storage and appearance of any flues / built form.

Parts a – g of LP16 set out considerations which any proposals should take into account

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

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

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

The site is located within 100 metres of Skelmanthorpe District Centre. The proposal seeks to use the existing premises for a leisure/food and drink/entertainment use, which would similarly constitute a district centre use.

Whilst the proposal is not accompanied by a formal sequential assessment, it is considered that the existing retail use of the site and its close proximity to

Skelmanthorpe District Centre are relevant considerations in assessing the application against the requirements of Policy LP13. The proposal would retain the site in a use that is appropriate to a district centre and it is clear the existing use has operated for a number of years in such use.

Furthermore, the site is located approximately 100 metres from the District Centre and therefore has a strong functional and locational relationship with the centre. In this context, it is considered that the existing use of the site, its location and the nature of the proposed use provide sufficient justification for the absence of a formal sequential assessment in this instance.

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

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council's adopted Local Plan sets out that proposals should promote good design by ensuring the form, scale, layout and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers. Chapter 14 of the NPPF sets out the objective to promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes.

In this case, the submitted plans confirm that no external alterations to the building are proposed. The development comprises a change of use from retail to a retail coffee shop and bar, including the sale of alcohol, with only internal alterations proposed to facilitate the new use.

It is acknowledged that concerns have been raised in relation to signage. However, any proposed signage would be subject to a separate advertisement consent restrictions / requirements and therefore does not form part of the considerations under this application.

A condition will be added restricting external storage within the area outlined in red on drawing TQRQM26175095009858. This is necessary to ensure the site maintains an appropriate appearance, in the interests of visual amenity and the prevention of anti-social behaviour, in accordance with Policies LP16 and LP24 of the Kirklees Local Plan.

In addition, details have not been provided about the location, design and materials of bin storage and recycling areas, or how waste and litter will be managed on the site. A condition will therefore be added requiring these details to be submitted and approved prior to the development being brought into use, in the interests of visual amenity.

Taking the above into consideration, the small-scale nature of the proposal and the absence of external alterations it is concluded that the proposal would retain the existing form, scale and appearance of the building, with no adverse impact on the character of the area. The proposal is therefore considered to accord with Policy LP24 and the design objectives of Chapter 14 of the NPPF.

Impact upon the Conservation Area

The application site is opposite Skelmanthorpe Conservation Area. Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas. This is echoed within policy LP35 of the Kirklees Local Plan and Chapter 20 of the NPPF.

Policy HE6 relates to proposals affecting designated heritage assets and sets out that substantial weight should be given to the asset's conservation 96 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

LP35 of the Kirklees Local Plan requires that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets.

HE6(4) confirms where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.

Given that the proposal relates solely to a change of use, it is considered that the development would have no impact on the character or setting of the

Conservation Area. A condition would be included upon any grant of permission to ensure suitable waste storage arrangements are agreed with the LPA which have an acceptable visual impact.

It is therefore considered that in terms of visual amenity / heritage considerations the proposal would comply with Policy LP16, LP24 and LP35 of the Kirklees Local Plan, and advice within the National Planning Policy Framework.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers.

There would be no alterations to the building which could lead to an unacceptable overlooking, overbearing or overshadowing impact. There is an external area included to the front, however this would face the side blank elevation of 4 Station Road. Therefore, with regard to overlooking, the proposal is acceptable.

Noise / odour

Policy LP52 is considered to be of relevance and sets out that development must be considered in relation to potential for increases from pollution, in this case the relevant possible increases could relate to noise, light & odour emissions.

Policy P3(2)(d) of the NPPF, contained within Chapter 17, sets out that proposals should 'mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason'. This is echoed within Kirklees Local Plan Policy LP24 which states that: -

'Proposals should provide a high standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary'.

The applicant submitted a Noise Management Plan dated July 2026 during the course of this application. The plan confirms that the premises would

operate as a coffee and wine bar, with a licence to sell alcohol. Background music would be permitted while the premises are open to the public, and customers would be permitted to use a small seated area or designated smoking area to the front of the property. Staff would monitor these areas and, where necessary, request that customers return inside or leave the premises to prevent excessive numbers gathering externally.

The plan also confirms that rubbish and glass bottles would be stored within the premises and removed for disposal during daylight hours, with measures in place to minimise noise. Recycling would be undertaken where possible, including the existing weekly collection of glass for recycling. No additional external equipment is proposed. The existing external cooling fans have been in place for a number of years and were used by previous businesses, the applicant considers these to be sufficient for the proposed use. The applicant has also confirmed via email dated 5 October there will be no food preparation on site. Conditions to ensure suitable waste arrangements and no cooking of hot food unless a suitable odour control scheme has first been agreed in writing with the LPA are recommended.

The Council's Environmental Health team has reviewed the Noise Management Plan and considers it acceptable. Nevertheless, given the site's proximity to residential properties, it is considered reasonable and necessary to impose conditions restricting the hours of opening and the use of external music. Environmental Health has also recommended a condition restricting the hours during which deliveries may take place.

Third-party concerns have been raised regarding potential odour arising from the proposed change of use. The applicant has confirmed by email dated 5 October that no food preparation will take place on the premises. Notwithstanding this, a condition is recommended to prevent the on-site cooking of food unless and until a scheme setting out appropriate odour control measures has been submitted to, and approved in writing by, the LPA. The condition is considered necessary in the interests of residential amenity and to protect and improve environmental quality, in accordance with the aims of Policies LP24b and LP52 of the Kirklees Local Plan.

With the inclusion of the aforementioned conditions, it is considered that the proposal would have an acceptable impact on residential amenity, therefore, complying with Policies LP16(b), LP24 and LP52 of the Kirklees Local Plan Chapters 14 and 17 of the NPPF.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 15 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application. Policy LP16 requires that the availability of public transport, parking and servicing, highway safety and the provision of refuse storage and collection is considered.

KC Highways Development Management have been formally consulted on the proposal and have provided the following comments:

“The proposal site is close but outside of the town centre boundary but accessible for sustainable travel for walking and cycling with bus stops within 400m with regular Monday to Saturday bus services.

The installation of cycle parking would further support policy LP20 and encourage mode choice and Active Travel, but there appears to be insufficient space for storage within the site for staff as well as outside for visitor use.

Access and egress are to be retained from Station Road. These are shared with adjoining premises.

Within the proposal site, the forecourt is to be retained. This would provide space for small scale servicing of food, drink, and sundries etc, such as by a car or small van. Bin storage is not identified but could be accommodated within the premises or forecourt for kerbside collection.

There is no on-site parking. Kirklees does not have parking standards and seeks to ensure that parking provision is appropriate to the needs of a development and not reduced below a reasonable level. For those Councils that do have parking criteria, the number of car parking spaces for café bars is based on an assessment on the amount of customer floorspace, number of staff as well as level of accessibility and proximity to the town centre. Typically, higher levels of accessibility require operational levels of parking and none for customers. These circumstances are found at this proposal site; it is accessible and has a relatively small customer floor area. Whilst, it is proposed to have four staff FTE's, they are unlikely to be on site all at the same time due to shifts and may not all travel by car. For those that do travel by car, there is limited on-street space available outside the units where this proposal site is to be located, and any parking would be on a first come first served basis but is constrained by the road width. Parking and waiting restrictions apply nearby too.

The proposal does not raise significant issues for road safety or network functionality. It would be known that there is no or limited on-street parking at the site. The premises of a café bar are small scale, and there is scope for

linked walking trips to and from the centre of Skelmanthorpe or the locale. Separate licencing regulations would cover its operation.

Accordingly, the proposal is acceptable from the highway perspective and no objection is raised.”

The bin storage and collection will remain as existing.

Taking account of the comments made by the Highways Development Management, the proposal is considered acceptable in terms of highway safety and parking. The site is accessible by sustainable modes of transport, the existing access would be retained, and the small-scale nature of the use would not result in significant highway safety, parking or network impacts. The proposal is therefore considered to comply with Policies LP16, LP21 and LP22 of the Kirklees Local Plan, Principle 15 of the Council's Street Design Guide and Chapter 15 of the NPPF.

A condition to ensure suitable waste storage arrangements are in place is recommended to ensure they do not affect the operation of the highway.

5 – Other matters:

Ecology

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

The site is not within a bat alert layer on the Council's GIS system and there are no records of bat roosting at the site.

The applicant has stated the application falls under the 'Di-Minimus' exemption category within the application forms. Therefore, in light of the submitted detail it is considered the application is exempt from a BNG uplift.

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-

dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

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

Contaminated Land

With regard to land quality, policy P2 of Chapter 17 of the National Planning Policy Framework and policy LP53 of the Kirklees Local Plan seek to ensure land quality is maintained as part of new development are considered to be relevant.

The application site is located on land identified as potentially contaminated. However, the proposal involves a change of use with only minor internal alterations, and no groundworks are proposed. As such, the Council's Environmental Health team has not requested any further information or conditions in relation to land quality or contaminated land.

Safety and security

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*'.

Chapter 17 of the of the National Planning Policy Framework sets out that development proposals should anticipate and address possible malicious threats and other hazards (whether natural or man-made) in relation to occupiers and users, by identifying potential safety risks and proportionate mitigation opportunities which can be addressed through the design of the scheme.

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. LP16 seeks to ensure the potential for anti-social behaviour to arise from the development, having regard to the effectiveness of available measures to manage potential harm through the use of planning conditions is taken into account.

Third party concerns have been raised with regard to the new use of the site and the potential this could result in anti social behaviour.

The West Yorkshire Police Designing Out Crime Officer has been consulted regarding the proposal, stating they have no objection to the scheme subject to condition relating to security measures being submitted to, and agreed in writing by the LPA.

Given the nature of the proposal it is considered proportionate that a scheme of safety and security measures is submitted to the LPA, and which include the requirement for inclusion of CCTV as part of the scheme.

On the basis of the inclusion of such a condition, taking account of the response of West Yorkshire Police, the proposal is concluded to be acceptable in accordance with the aforementioned policies.

6 – Representations:

153 letters (which includes hand-written letters, e-mails and on-line representations) of representation have been received. The 118 letters of support and comment are noted.

The matters raised within the letters of objection are set out below:

Noise / neighbouring amenity

- The proposed use as a bar is likely to create a significant increase in noise and disturbance, particularly during the evening and late at night. This is a residential area/village setting, and a bar would inevitably bring noise from customers arriving and leaving, talking outside, car doors slamming, engines running, and general late-night activity.
- Because the premises is located very close to residential homes, the proposal would have an unacceptable effect on neighbouring occupiers through noise, disturbance, vehicle movements and general activity associated with a bar use, particularly in the evenings when residents should reasonably expect peace and quiet in their homes
- No details have been submitted regarding noise generation (e.g., music, late-night dispersal, and external plant equipment) and how this will be mitigated to protect the amenity of nearby residents.
- A coffee shop during the day will offer very little disruption to the status quo but serving alcohol during the evening will undoubtedly have a detrimental effect. Despite no change of use having yet been

approved, the applicant has already constructed a sizeable “smoking area” outside the premises

- At the current time the houses around enjoy what residential areas should which is controlled levels of safety, noise and activity. Introducing a venue like this will vastly increase consumption of alcohol and likely drive causing unsafe activities, noise and potential disruptions which are not in keeping with the area of what we want here. Already we see other similar village licensed premises spilling onto pavements and elderly, children have to walk in the road or simply won't go near as they are afraid
- Should the Local Planning Authority nonetheless be minded to grant permission, I would ask that consideration be given to imposing conditions restricting: the use of the outdoor area by customers to no later than 9:00 pm, regardless of the premises' general licensed hours; and the playing of amplified music to no later than 9:00 pm
- In my view, another bar is not needed in the village and would not positively contribute to the local area. More importantly from a planning perspective, the proposal risks harming the character of what is primarily a residential village environment by introducing a use that is likely to generate late-night activity, noise and disruption out of keeping with the surrounding area.
- Open windows at the rear face the rear garden of no2 The Foldings allowing bar noise, music and potential cooking odours to be exposed to the entire estate.
- Because there is no designated outdoor smoking area or beer garden included in the application, patrons congregating immediately outside on the public pavement to smoke will result in persistent smoke drift, cigarette litter, and odour nuisance penetrating directly into the windows and outdoor living spaces of nearby homes.

Officer response: *Noted. The Council's Environmental Health team have been consulted and requested a noise management plan, which has been submitted and reviewed and considered acceptable and proportionate for the development. The applicant has confirmed there will be no food preparation on site. Conditions would be included to ensure the proposal is undertaken in accordance with the submitted plan and no cooking is undertaken unless suitable odour control arrangements have been first submitted to the LPA and agreed in writing.*

Traffic / parking / deliveries

- There are already ongoing parking issues in the immediate area. Parking is limited, and the presence of double yellow lines already causes difficulties for residents and visitors.

- A bar would increase demand for parking, especially during evenings and weekends, leading to more congestion, unsafe parking, obstruction, and inconvenience for local residents. I am concerned that customers would park on nearby residential streets or in unsuitable locations, worsening an existing problem
- Lack of parking and disturbance and noise to the houses nearby. The parking up and down station road is a nightmare already with double parking and this will make it worse. An accident waiting to happen. There are 3 spaces to park outside the building and then people will double park. It is unsafe near a bend, in an already busy road.
- This application is in a residential area with housing all around. Also on street parking in that area is limited by double yellow lines and there would be no off road parking available. Skelmanthorpe already has at least 10 venues for coffee. There are also 3 side roads in this area. Planning permission is also granted for a house in the current garden of an older house which is also to be redeveloped. The issue will be parking and potential disruption to residents
- Delivery and Servicing Arrangements: The plans do not outline how commercial deliveries will be safely facilitated. Station Road is frequently heavily parked, which already reduces the approach to the Commercial Road junction to a single-width carriageway and causes traffic to back up. Attempting to accommodate commercial delivery vehicles in this constrained area will inevitably exacerbate existing highway safety risks.
- Inadequate Parking Provision: The application fails to identify designated parking for the three proposed additional employees, nor does it address where visitors are expected to park. Introducing further demand into an area with pre-existing parking constraints is unacceptable.
- Traffic Generation and Taxi Dispersal: The proposal does not address the inevitable increase in local congestion during peak operating hours. A clear traffic management strategy is required to handle taxi drop-offs, pic
- A licensed premises operating as a coffee bar during the day, and potentially as a bar in the evening, will generate materially increased footfall and vehicle movements at a location that cannot accommodate them. This is not a hypothetical concern: a previous change of use application within the same building complex, reference 2018/62/91539/E, was refused on the grounds of inadequate parking provision (Decision Notice 2018/62/91539/E0/NT). The current proposal does not resolve that underlying parking constraint, and approving it would be inconsistent with that recent precedent for the same site.

- Most of the supporting comments would appear to be from people outside of the village, who frequented the bar in its previous location (which was not close to any residential properties and had parking spaces along the road), so where will people park if they are not local? Has this even been considered? Station Road is already dangerous for cars and pedestrians. At busy pub times, people already park on both sides of the road and often leave cars over-night, making the junction onto Commercial Road a bottle neck, with cars queuing past Strike Lane to try and get to the junction and cars not able to pull into the junction, clogging up the main road.
- The proposed development provides only two parking spaces, which is clearly inadequate for a café/bar likely to attract customers, staff and deliveries

Officer response: *Noted. The Council's Highways Development Management team has been formally consulted and has raised no objection to the proposal. The concerns regarding existing parking pressures, servicing, traffic generation and highway safety are acknowledged. However, the Highways Development Management assessment concludes that the proposal would not result in significant impacts on highway safety or network functionality. Comments relating to previous decisions are noted, however each application must be assessed on its own merits, having regard to the site-specific circumstances and relevant consultation responses.*

Plans / proposed use and sequential test

- Missing Floor Plans: There is no existing floor plan provided to serve as a baseline for the proposed changes. Furthermore, the proposed floor plan illustrates a staircase, but it is entirely unclear where this leads. Clarification is required as to whether this serves a mezzanine level and if this will be utilised as additional floor space in the future.
- There is a significant discrepancy regarding the size of the premises. The application form states the floor area is 140 sq.m; however, dimensions taken from the submitted plans suggest a GIA of around 175 sq.m.
- This calculation assumes the ambiguous staircase does not lead to an additional mezzanine floor, which would increase the GIA further.
- This underrepresentation is critical, as surpassing the 150 sq.m threshold may trigger additional relevant policy requirements and impact the required application fee.
- Missing Elevations: Neither existing nor proposed elevations have been submitted. This is highly irregular for a change of use that will inevitably require external alterations such as signage, beer cellar

cooling, occupancy ventilation and kitchen extracts, all of which need to be shown to understand the potential impact.

- The applicant has failed to provide the required sequential test or robust justification demonstrating why this out-of-centre location is acceptable. There is no assessment of the potential negative impact this development would have on the vitality and viability of the established district centre along Commercial Road. Introducing a licensed pub/bar into the middle of a predominantly residential area is fundamentally inappropriate and constitutes an unacceptable expansion of the nighttime economy into a residential zone.
- The plans lack clarity regarding the front entrance and its interaction with the public footway. It is unclear if new steps are being introduced to manage level changes, whether handrails and guarding will be necessary, or if access requires crossing adjacent land not included within the redline boundary.
- The application should, in my view, be considered in the context of the existing licensed premises within the village. There is already a pub and two cocktail bars serving the area. Adding another bar could increase the cumulative level of evening and late-night activity, noise and disturbance within what is otherwise a predominantly residential environment.
- The unit is totally unsuitable for the proposed usage and is not needed. There are already two coffee shops and two pubs within a few minutes walk of the proposed development. Neither of these have car parks.
- This area of the village already has a pub, two coffee shops and a wine bar very close to the proposed coffee shop/ bar. I am very concerned about the increase in noise during the evening/ night time especially at closing time as the proposed bar is located in a residential area.

Officer response: *Noted. It is considered that the information submitted, including the plans and supplementary information, is sufficient for the application to be progressed. The principle of the development in this out-of-centre location has been acknowledged and carefully considered in further detail in Section 1 of this report.*

Impact upon visual amenity / Conservation Area

- As the site sits on the boundary of a conservation area, any external alterations must be rigorously assessed for their impact on the historic setting. The lack of proposed elevations obscures several inevitable external changes:
 - Signage and Lighting: Details regarding external signage, security/ambient lighting, and any proposed external seating areas have been omitted.

- MEP and Ventilation Equipment: The transition to a bar and coffee shop will require substantial mechanical, electrical, and plumbing (MEP) infrastructure. A beer cellar necessitates a large external AC cooling unit. Furthermore, upgrading the existing "tea point" to a commercial catering kitchen capable of food preparation (for on- and off-premises sale) will require high-specification extraction and ventilation flues. These external additions will severely impact the visual amenity and the setting of the conservation area.

Officer response: *Noted. The development's impact upon visual amenity and the conservation area has been assessed in further detail Section 2 of this report. The submitted information confirms that the existing cooling and ventilation equipment would be retained and used, and that no external lighting is proposed. The applicant has confirmed there would be no food preparation on site which would be secured by condition.*

Odour / drainage

- Odor Management: No information has been provided on how kitchen odors will be extracted, filtered, and managed.
- It appears that the drains will need to be (and are currently being) adapted to cater for the business and the drains are already fully used and could potentially become blocked with waste products from the business

Officer response: *The proposal seeks a change of use from a coffee shop to a coffee and wine bar. The Council's Environmental Health team has reviewed the submitted Noise Management Plan and supporting information and is satisfied that any kitchen odour arising from the proposed use would not be significantly greater than that associated with the existing use. A condition to ensure odour would be controlled in the event of cooking of hot food is recommended to ensure the scheme is undertaken as proposed.*

Crime

- Crime Impact Assessment: Given the introduction of alcohol sales and late-night opening hours, the absence of a Crime Impact Assessment detailing how antisocial opening hours, the absence of a Crime Impact Assessment detailing how antisocial behaviour will be mitigated is unacceptable.

Officer response: *Noted. KC Crime Prevention have been formally consulted on the proposal and their comments have been carefully considered under section 5 of this report. A condition to secure security measures is recommended to ensure these are undertaken.*

Emergency exits

- In the case of an emergency/fire exit needing to be used at the rear the only escape would be via the above mentioned windows which are very high from the ground.
- The plans appear to show double doors at the entrance and then a single door leading to the bar area. In an emergency, this may cause a crush problem if people needed to leave the premises quickly, as the only route out is through these doors. If again in an emergency, potential customers attempted to vacate the premises through the back windows, there would be a dangerous drop into a garden below.

Officer response: *Noted. However, matters relating to emergency and fire exits fall within the remit of Building Control and are therefore separate from the planning considerations relevant to this application.*

Waste storage

- There is no provision in the Application for storage of barrels, bins or waste products of the business (nor does there appear to be any space for these on site).

Officer response: *Noted. The noise management plan sets out the process for the storage of barrels, bins and waste and has been reviewed by KC Environmental Health, who have recommended a condition restricting the hours of use. A condition for finalised waste storage arrangements to be submitted to the LPA for written approval is recommended.*

Publicity and notification

- I would comment that there seems to have been no public notification of this application. I only became aware of it during discussions with neighbours
- The 'notice' itself has also not been positioned in an obvious place. These are usually put on lampposts so that they can be easily spotted and read, but this has been put in the window where residents have not noticed or read it until recently. It all feels rather backhanded.

Officer response: *The application has been publicised by way of a site notice displayed on a telegraph pole outside the site in accordance with the Council's Development Management Charter and the requirements of*

article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

- The most guiling thing though, is that work has already begun on the conversion, (documented publicly on the previous bar's Facebook page), before change of premises permission has been granted, and before the public consultation is even over. This demonstrates an assumption that permission will be granted before neighbouring residents' opinions have even been considered, showing a complete disregard for our concerns, complete lack of consideration for our views, and an arrogance that it will go through despite any local opposition. Perhaps it would have been courteous for the new tenant to speak to local residents before applying for this, and certainly before starting noisy, disruptive works, before objections have been received and considered.

Officer response: *Noted. Whilst possible to undertake works and retrospectively seek permission, any works undertaken would be at the applicants own risk.*

It should be noted that all representations which are received are taken into account and cannot be discounted on the basis of the motivation to make such representations.

7 – Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation - Delegated Powers

Application Number: 2026/91738

Officer Recommendation: APPROVE

Conditions

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

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

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 accord with Policies LP01, LP02, LP13, LP16, LP21, LP22, LP24, LP30, LP35, LP51, LP52 & LP53 of the Kirklees Local Plan, and Policies within Chapters 3, 4, 5, 7, 8, 14, 15, 16, 17, 18, 19 & 20 of the National Planning Policy Framework.

3. The use hereby permitted including external seating area(s) shall not be open to customers outside the hours of 10:00 to 22:00 Monday to Saturday and 10:00 to 19:00 on Sundays and Bank Holidays. There shall be no deliveries to the site outside the hours of 08:00 and 20:00 hours Monday to Saturday or outside the hours of 10:00 and 16:00 hours on Sundays and Bank Holidays.

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 LP16 and LP52 of the Kirklees Local Plan and Chapters 14 and 17 of the National Planning Policy Framework.

4. The operation of any sound amplification equipment shall not take place within, or be used in connection with, the outside seating area hereby approved.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 14 and 17 of the National Planning Policy Framework.

5. The development 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:

- a) Provision of a video surveillance and/or Closed Circuit (CCTV) system and areas / image quality the video surveillance and/or Closed Circuit (CCTV) system provides.
 - a) Provision of intruder alarms which meet the requirements of BS EN 50131 (Intrusion and hold-up systems) and EN 50136 (Alarm transmission systems and equipment).
 - b) Access control measures
 - c) Door and glazing standards and certification rating
- The approved scheme shall be implemented before the development is first occupied and retained thereafter.

Reason: to ensure that measures have been agreed in pursuance of the Council's duty under Section 17 of the Crime and Disorder Act 1998 and to accord with policies LP16 and LP24 of the Kirklees Local Plan and the policies contained within Chapter 17 of the National Planning Policy Framework.

6. The development hereby approved shall be operated in full accordance with the measures specified within the Noise Management Plan dated July 2026.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with policies LP24(b) and LP52 of the Kirklees Local Plan and policies within Chapters 14 and 17 of the National Planning Policy Framework.

7. Notwithstanding the plans submitted the development shall not be brought into use until a scheme detailing (i) the location, design and materials of all bin storage areas/enclosures and recycling storage areas and (ii) a waste and litter management strategy for the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the works required by part (i) of this condition have been completed/provided, which shall thereafter be retained and maintained for the lifetime of the development, unless a subsequent variation to the scheme is approved in writing by the Local Planning Authority. The strategy approved under part (ii) of this condition shall be operated throughout the life of the development unless a subsequent variation to the scheme is approved in writing by the Local Planning Authority.

Reason: To ensure adequate waste storage facilities are provided in the interests of visual and residential amenity and highway safety to accord with policies LP21, LP24 and LP52 of the Kirklees Local Plan and policies contained within chapters 12, 15 and 17 of the National Planning Policy Framework.

8. Other than any storage associated with the scheme submitted pursuant to condition 7. There shall be no external storage within the area outlined in red upon drawing TQRQM26175095009858.

Reason: In the interests of visual amenity, highway safety, and prevention of anti social behaviour to accord with policies LP16, LP21 and LP24 of the Kirklees Local Plan and policies within Chapters 14, 15 and 17 of the National Planning Policy Framework.

9. There shall be no on site cooking of food unless and until a scheme relating to odour control measures has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include; a) a risk assessment for odour which considers amount and type of food that will be cooked together with the proposed dispersion of odours and proximity of receptors likely to be affected by any cooking odours; b) based on the risk assessment, details of the proposed methods of odour control and dispersion of any extracted odours; c) details showing the proposed location of all the major components of the extract system; d) the noise mitigation measures that will be incorporated in the extract system and details of the likely resulting noise levels that will be caused by operation of the extract system, in particular how loud it will be at nearby noise sensitive locations and e) the proposed ongoing maintenance schedule that will be carried out to ensure that the extract system continues to effectively control odours and not cause excessive noise. The development shall not be brought into use until the approved scheme has been completed, which shall be thereafter retained.

Reason: To ensure the proposed development does not cause harmful odour pollution within either a public area or at neighbouring premises in the interest of amenity, to comply with policies LP16, LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 14 and 17 of the National Planning Policy Framework.

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.

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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	TQRQM26175095009858	-	24/06/2026
Block Plan	-	-	24/06/2026
Existing Floor Plan	-	-	24/06/2026
Proposed Floor Plan	-	-	29/07/2026
Application form	-	-	01/07/2026
Noise Management Plan dated July 26	-	-	21/08/2026

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. A Noise Management Plan has been submitted during the course of the application.

Low coal

