

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR
CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION**

Reference No: 2019/44/90604/E

Site Address: 347-349, Wakefield Road, Denby Dale, Huddersfield,
HD8 8RT

Description: Discharge condition 5 (noise) on previous permission
2018/92266 for erection of extension over shop to
create 2 flats

Recommending Officer: Rebecca Drake

DECISION – APPROVE DISCHARGE OF CONDITION 5

**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: 19-Jul-2019

Officer Report

Discharge condition 5 (noise) on previous permission 2018/92266 for erection of extension over shop to create 2 flats at 347-349, Wakefield Road, Denby Dale, Huddersfield, HD8 8RT.

5. Before development commences, a report specifying the measures to be taken to protect the development from noise from commercial premises shall be submitted to and approved in writing by the Local Planning Authority.

The report shall:

- (i) Determine the existing noise climate*
- (ii) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development*
- (iii) 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 within the approved report have been carried out in full and such works shall be thereafter retained.

Reason: In the interests of amenity of the occupiers of these properties and to accord with the requirements of Policy EP4 of the Kirklees Unitary Development Plan, Policy PLP 52 of the Kirklees Publication Draft Local Plan as well as Chapter 15 of the National Planning Policy Framework.

KC Environmental Health have reviewed the application. During the course of the application, a revised noise report has been supplied by the applicant's Acoustic Consultant at the request of Environmental Health Officers.

The content of these noise reports (refs: R19.1318-1-AG, Dated 11.02.2019 and R19.1318-2-AG, Dated 10.05.2019) are considered acceptable for the purposes of this condition.

However, as the condition requires that the development is not occupied until all the works included within the above stated reports has been carried out in full and these measures thereafter retained, this condition cannot be fully discharged.

Other matters

It should be noted that works have been carried out on the site comprising the relocation of plant which is outside the remit of this application. As such, this has been passed to KC Enforcement Officers for investigation.

Letter Text

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Recommendation
5

APPROVE DISCHARGE OF CONDITION

Report Dated: 11th July 2019

