



Planning and Development Service
Economy and Infrastructure
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Andy Brook,
Code L6 Architecture Ltd
31, Halifax Road
Brighouse
HD6 2AA

Date: 10-Sep-2021
Our Ref: 2021/92339

Dear Sir

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge of condition 5. (noise) on previous permission no. 2020/91180 for
Alterations to convert two existing dwellings to three dwellings (within a
Conservation Area)
1, College Street & 5, Whewell Street, Birstall, Batley, WF17 9PG
Application Number: 2021/92339**

I write with reference to your application to discharge the conditions for the above development as submitted on 08-Jun-2021.

5. Before construction begins 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 road traffic and any industrial/commercial sources 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 gardens (daytime), 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: In the interest of the amenity of future occupiers of the properties and to accord with Policies LP24 and LP52 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

You submitted An Assessment of the Existing Noise Climate prepared by Druk Limited and dated 26th May 2021, the findings of which are accepted. However, further information is required on the alternative ventilation strategy. Condition 5 cannot therefore be discharged at this time.

However, if the further information regarding the alternative ventilation system is received within 8 weeks of the date of this letter, then it can be considered under the same application, reference 2021/92339.

Yours faithfully

Mathias Franklin

Head of Planning and Development