



Planning and Development Service
Economy and Infrastructure
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Date: 29-Jul-2021
Our Ref: 2021/92590

Dear Sir / Madam,

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

Discharge of conditions 2 (internal adoptable estate road), 3 (contruction management plan), 4 (materials) and 6 (ventilation scheme) of previous reserved matters approval ref: 2019/92710 for erection of 32 dwellings

Land Off, Field Head Lane, Birstall, Batley

Application Number: 2021/92590

I write with reference to your application to discharge the conditions for the above development as submitted on 25-Jun-2021.

Condition 2 (internal adoptable estate road)

You have submitted the following plans pursuant to condition 2:

- DR-C-0130 rev. P1
- DR-C-0131 rev. P1
- DR-C-0132 rev. P1
- DR-C-0133 rev. P1
- DR-C-0134 rev. P1
- DR-C-0135 rev. P1
- DR-C-0136 rev. P1
- DR-C-0137 rev. P1

- DR-C-0138 rev. P2
- DR-C-0140 rev. P1

The Council's Section 38 department advises that the submission is not ready for Section 38 Technical Approval for the adoption of all the roads on this site. As such condition 2 cannot be discharged at this time.

Condition 3 (construction management plan)

You have submitted a Construction Phase Plan (Torpoint Ltd, undated) pursuant to condition 3.

I can confirm that the submitted details are acceptable. However, be aware that condition 3 has the following ongoing requirement: *'Thereafter the approved development shall be undertaken in accordance with the approved construction management plan or construction method statement'*.

Condition 4 (materials)

You have submitted the materials schedule (rev. A) dated 23/06/2021 to discharge condition 4.

I can confirm that the submitted details are acceptable for the purpose of condition 4. Be aware that condition 4 has the following ongoing requirement: *'The development shall be completed using the approved materials, prior to the hereby approved building being brought into use'*.

Condition 6 (ventilation scheme)

You have submitted a Noise Survey for Residential Development (version 4, Nova Acoustics, 13/05/2021) pursuant to condition 6.

The submitted information is considered inadequate to discharge condition 6. For your information the ventilation scheme should:

- Identify which rooms of which plots referenced back to the approved Noise Assessment require a ventilation system;
- The acoustic specification of the proposed ventilation system demonstrating that when operated it will not cause indoor noise target levels to be exceeded; and

- The ventilation scheme must demonstrate how habitable rooms shall be provided with sufficient ventilation to help control thermal comfort and avoid over heating during hot weather without the need to open windows. This should include details of the air intake location and any summer bypass for any heat recovery system including a calculation for air changes/hour. A Standard Assessment Procedure (SAP) assessment would be acceptable to demonstrate that a risk of overheating is minimised.

For the avoidance of doubt, condition 6 cannot be discharged at this time.

Yours faithfully,

Mathias Franklin
Head of Planning and Development