

**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:	2024/44/91238/E
Site Address:	land between, 12 & 14, Knowl Road, Mirfield, WF14 8DQ
Description:	Discharge conditions 4 (noise), 5 (drainage), 7 (materials) on previous permission 2021/91246 for erection of detached dwelling
Recommending Officer:	Edward Cheseldine

DECISION – DISCHARGE OF CONDITIONS APPROVED

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.

Emma Thompson

AUTHORISED OFFICER

Date: 25-Jun-2024

Officer Report

2024/91238 - land between, 12 & 14, Knowl Road, Mirfield, WF14 8DQ

Proposal Description

The proposal is to discharge conditions 4 (noise), 5 (drainage), 7 (materials) on previous permission 2021/91246 for erection of detached dwelling.

Condition 4

4. Before construction work commences a report specifying the measures to be taken to protect the development from noise from the nearby nursery/commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The report shall: a) Determine the existing noise climate b) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development c) 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. All noise assessments should be carried out by a competent person. Developers may wish to contact the Association of Noise Consultants <http://www.association-of-noiseconsultants.co.uk/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members. Reason: To comply with the aims and objectives of Policy LP24 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

Assessment

The following has been submitted;

- Acoustic report, by Paul Horsely Acoustics LTD, titled Environmental Noise Survey Proposed Residential Development on Land Between No 12 and 14 Knowl Road, Mirfield, WF14 8DQ, dated 17th to 19th April 2024.

The document was assessed by KC Environmental Health, It was concluded that the report was adequate in preventing noise disturbance to the nearby buildings, recommending that the report was accepted providing the measures recommended are implemented and retained thereafter.

Condition 5

5. A scheme detailing surface water and land drainage shall be submitted to and approved in writing by the Local Planning Authority before development on the superstructure of the new dwelling commences. Where soakaways are proposed, the submitted scheme shall demonstrate an adequately designed soakaway as an effective means of drainage of surface water on the site. Where a septic tank is proposed, details shall be submitted to demonstrate that this is sufficient to meet the requirements on the site. The dwelling shall not be occupied until such approved drainage scheme has been provided on the site to serve the development. The development shall be thereafter retained in accordance with the approved details. Reason: In the interests of satisfactory and sustainable drainage to accord Policy LP28 of the Kirklees Local Plan and Chapter 14 of the National Planning Policy Framework.

Assessment

The following has been submitted;

- Site plans, by J. A. Oldroyd & Sons, ref: 24/37/A, received 02 May 2024.

The site is not located in a flood risk area or a critical drainage area. It is considered in the context, that it would not be inappropriate for surface water to be discharged into sewers on this occasion. The drainage scheme shall be provided prior to occupation of the dwelling. The details are acceptable for the purpose of the condition. The development shall be carried out in accordance with the details and thereafter be retained in perpetuity.

Condition 7

7. Samples of facing and roofing materials shall be submitted for approval in writing prior to development commencing on the superstructure of the dwelling hereby approved. The development shall be carried out in accordance with the approved details and thereafter retained as such. Reason: In the interests of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Assessment

The following has been submitted;

- Photographs of building materials including, natural stone course block in sandstone and a tarnished colour. Roofing slates including the repurposed slates.

The materials shown are to be assessed against Policy LP24 & Principle 13 of the Housebuilders Design Guide SPD of the Kirklees Local Plan, so they respect and accord with the character of the wider and building group in the immediate vicinity.

Knowles Road has a traditional building group, made up of simplistic, yet characterful historic buildings. Materials present within the area are natural stone some of which has been tarnished due to the longevity of the buildings and natural stone slate roof tiles. The provided materials therefore compliment the area.

The materials should also compliment the dwelling itself and provide an aesthetic to the style of the building. The dwelling is a large dwelling with a traditional architectural style formed from its mansard roof amongst other features, which the materials will compliment.

The proposed material therefore accord with Policy LP 24 and Principle 13 of the Housebuilders Design Guide SPD and details are acceptable for the purpose of the condition. The development shall be carried out in accordance with the details and thereafter be retained in perpetuity.

Decision Notice Text

Condition 4

The following has been submitted;

- Acoustic report, by Paul Horsely Acoustics LTD, titled Environmental Noise Survey Proposed Residential Development on Land Between No 12 and 14 Knowl Road, Mirfield, WF14 8DQ, dated 17th to 19th April 2024.

The acoustic report is acceptable so long as the measures are implemented and retained thereafter. The conditions therefore cannot be fully discharged, however for the purposes of the condition, the details are accepted. The development shall be carried out in accordance with the details and thereafter be retained in perpetuity.

Condition 5

The following has been submitted;

- Site plans, by J. A. Oldroyd & Sons, ref: 24/37/A, received 02 May 2024.

The site is not within a flood risk area or a critical drainage area. It is considered in the context, that it would not be inappropriate for surface water to be discharged into sewers on this occasion. The details are acceptable for the purpose of the condition. The development shall be carried out in accordance with the details and thereafter be retained in perpetuity.

Condition 7

The following has been submitted;

- Photographs of building materials including, natural stone course block in sandstone and a tarnished colour. Roofing slates including the repurposed slates.

The proposed materials have been assessed to accord with Policy LP 24 and Principle 13 of the Housebuilders Design Guide SPD of the Kirklees Local Plan and the details are acceptable for the purpose of the condition. The development shall be carried out in accordance with the details and thereafter be retained in perpetuity.