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:	**2024/44/91459/E**
Site Address:	6-10, Westgate, Dewsbury, WF13 1BW
Description:	Discharge condition 6 (sound insulation) on previous permission 2021/93026 for alterations to office/store to form ground floor retail/commercial units and 4 upper floor apartments (within a Conservation Area)
Recommending Officer:	Nina Sayers

DECISION – Discharge of Condition 6 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 16-Jul-2024

Officer Report

Site Description

Site address – 6-10 Westgate, Dewsbury, WF13 1BW

Proposal – Discharge condition 6 (sound insulation) on previous permission 2021/93026 for alterations to office/store to form ground floor retail/commercial units and 4 upper floor apartments (within a Conservation Area)

Assessment

<u>Condition 6 – Sound Insulation</u>

Condition 6 reads as follows:

6. Before the development is brought into use the developer shall provide written evidence to the Local Planning Authority to demonstrate that the airborne sound insulation performance of the party wall/ ceiling of the development is of a minimum of 55 dB Dntw + Ctr. If it cannot be demonstrated that the aforementioned airborne sound insulation performance has been achieved, a scheme incorporating further measures to achieve the sound insulation performance shall be submitted for the written approval of the Local Planning Authority. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned sound insulation performance level has been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.
Reason: To ensure that the proposed uses do 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 LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

The applicant has submitted a technical letter with test certificates from Paul Horsley Acoustics dated 21 May 2024 Ref PH/J3262 showing the proposed development meets with the requirements of the condition. Condition 6 can therefore be discharged.

Decision notice text

The applicant has submitted a technical letter with test certificates from Paul Horsley Acoustics dated 21 May 2024 Ref PH/J3262 showing the proposed development meets with the requirements of the condition. Condition 6 can therefore be discharged.