



Kirklees Council
Planning and Development Service
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Date: 05-Sep-2024
Our Ref: 2024/91537

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 conditions 3 (CMP) and 4 (CEMP) of previous permission 2020/92067
for erection of 30 dwellings
former, Stile Common Infant & Nursery School, Plane Street, Newsome,
Huddersfield, HD4 6DF
Application Number: 2024/91537**

I write with reference to your application to discharge the conditions for the above development as submitted on 29-May-2024.

Condition 3 (CMP)

You have submitted the document titled Construction Phase Plan / Construction Management Plan: Plane Street 410 pursuant to condition 3. This document was revised and received by the council on 28/08/2024.

I can confirm that the submitted details are acceptable for the initial requirements of condition 3. However, be aware that condition 3 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

Unless otherwise approved in writing by the Local Planning Authority, all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

Condition 4 (CEMP)

You have submitted the following documents pursuant to condition 4:

- Construction Environmental Management Plan (CEMP), revised and received by the council on 28/08/2024
- Construction Noise and Vibration Management Plan, revised and received by the council on 28/08/2024

I can confirm that the submitted details are acceptable for the initial requirements of condition 4. However, be aware that condition 4 has the following ongoing requirement which must be adhered to, to ensure ongoing compliance:

The agreed plan shall be adhered to throughout the construction of the development.

Further to the above, please note the following comments from K.C. Environmental Health:

The applicant is reminded that Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Yours faithfully,

Mathias Franklin
Head of Planning and Development