



Kirklees Council
Planning and Development Service
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Date: 09-Aug-2024
Our Ref: 2024/91956

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015
APPLICATION NO: 2024/91956
DEVELOPMENT: PRIOR NOTIFICATION FOR DEMOLITION OF SCHOOL
BUILDING
CASTLE HALL ACADEMY, RICHARD THORPE AVENUE, MIRFIELD, WF14 9PH**

I refer to your submission of details relative to demolition proposals as described above.

The proposal as described is acceptable and, subject to all works being carried out in accordance with the description contained in the notification, the Council will not require the submission of further details. Prior approval is not, therefore, required and the works described may be carried out.

I would draw your attention to the provisions of Schedule 2, Part 11 of the General Development Order as amended, which requires that any works notified to the Council under these provisions must be carried out within a period of 5 years from the date on which the Local Planning Authority were notified. As such, the development proposed must be completed before 10th July 2029. Failing this, if you intend to carry out the works after this date, further notification will be required.

If approval under the Building Acts is required for the development, you should ensure that such approval has been obtained before carrying out any works.

FOOTNOTE: Section 80 of the Building Act 1984 requires notice of the demolition to be given to the Local Authority whereby the Local Authority may require methodology of demolition to be undertaken in a specified manner. In this instance it is recommended particular attention is given to dust management.

For further information regarding dust control, guidance can be found in the Institute of Air Quality Management (IAQM) document "*Guidance on the assessment of dust from demolition and construction*" Version 2.2 2024.

The demolition of the building highlighted green on the location plan shall be carried out in accordance with the approved information.

FOOTNOTE: No construction related noise shall be audible beyond the site boundary outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Public Holidays.

FOOTNOTE: 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.

FOOTNOTE: The site is not located within the Kirklees Bat Alert Layer; however, bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site, development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan (Building highlighted green)			11/07/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. No further information was requested

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Yours faithfully

Mathias Franklin
Head of Planning and Development