

**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:	2024/44/92882/E
Site Address:	Batley Police Station, Market Place, Batley, WF17 5AA
Description:	Discharge of details reserved by Condition 3. (ventilation scheme) of permission 2020/92351 for Change of use of former police station to 9 apartments with associated works (Within a Conservation Area)
Recommending Officer:	Emma Thompson

DECISION – Discharge of Condition - 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: 03-Dec-2024

Discharge of condition 3 (Ventilation Scheme) of permission 2020/92351 for Change of use of former police station to 9 apartments with associated works

Condition 3:

3. As windows need to be kept closed to prevent excessive noise levels, before any construction work commences, a ventilation scheme shall be submitted to and approved in writing by the Local Planning Authority. The ventilation Scheme shall show how habitable rooms of these apartments shall be provided with sufficient ventilation to help control thermal comfort and avoid over heating during hot weather without the need to open windows. All works which form part of the approved scheme shall be completed prior to occupation of the apartments and retained thereafter.

Reason: In the interests of amenity of the occupiers of these properties and to accord with the requirements of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Assessment:

The condition was required in order to protect the amenity of future occupants. To address outstanding matters, in this respect, the applicant has submitted a Noise Impact Assessment by Acoustic Solutions dated 19th September 2024 reference: 1965-76-2020V3. Paragraph 4.4.2 assesses the nighttime noise associated with vehicles arriving and departing from the site. It concludes that there will be no adverse impact and as such no further mitigation measures are required. The information has been reviewed by KC Environmental Health and accepted.

The condition cannot be discharged until all mitigation measures recommended in the Noise Impact Assessment referred to above have been discharged. Subject to the development incorporating the measures outlined the development will avoid detrimental impact on future occupants in accordance with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Decision Text:

In order to discharge Condition 3 regarding ventilation of habitable accommodation a Noise Impact Assessment by Acoustic Solutions dated 19th September 2024 reference: 1965-76-2020V3 has been received. An assessment undertaken by KC Environmental Health has concluded that, subject to the implementation of measures set out in the report, the scheme can be delivered without impacting on future occupants.

The details are acceptable for the discharge of Condition 3, however the measures set out shall be implemented and retained in perpetuity.

