Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL

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Date: 14-Nov-2024
Our Ref: 2024/92909

Dear Sir/Madam

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 4 (Materials), 5 (Preliminary Risk Assessment), 10 (EV Charging Points), 12 (Noise Assessment), 13 (Noise Protection Measures), 14 (Sound Insulation) and 15 (Coal Mining Activity) of previous permission 2023/92462 for erection of retail unit with first floor flat with external access stair
408, Wakefield Road, Denby Dale, HD8 8RP
Application Number: 2024/92909

I write with reference to your application to discharge the conditions for the above development as submitted on 10-Oct-2024.

Condition 4 – Materials

The following information has been submitted:

- Condition 4 – External Facing Materials (reference no. 23052, dated 10th October 2024)

It is considered that the proposed walling and roofing materials are acceptable for the purposes of condition 4. Condition 4 is therefore discharged. It is a requirement of condition 4 that the development shall be carried out in accordance with the approved details and retained as such.

Condition 5 – Preliminary Risk Assessment

The following information has been submitted:

Kirklees Council
Planning and Development Service
PO Box 1720
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HD1 9EL

- Phase One Desk Study report authored by Martin Environmental Solutions Limited (dated August 2024, reference no. 2781-1)

KC Environmental Health do not accept the report provided and request a revised preliminary risk assessment that provides more detailed commentary on the gas risks at the site. For these reasons condition 5 is not discharged and this condition remains.

Condition 10 - EV Charging Points

The following information has been submitted:

- Site Plan – As Proposed (ref. 2305D-03-P04, dated 7th October 2024)

The submitted information meets with the requirements of the condition and is considered acceptable. Condition 10 is therefore discharged. It is an ongoing requirement of this condition that the approved dedicated facilities for charging electric vehicles be installed prior to occupation and retained for use thereafter.

Condition 12 - Noise Assessment

The following has been submitted:

- Acoustic Survey and Assessment authored by Martin Environmental Solutions Ltd (dated August 2024, reference no. 2780-1)

The submitted details are considered acceptable for the purposes of Condition 12 and this condition is discharged. It is a requirement of this condition that the development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such measures shall be thereafter retained.

Condition 13 – Noise Protection Measures

The following information has been submitted:

- Acoustic Survey and Assessment authored by Martin Environmental Solutions Ltd (dated August 2024, reference no. 2780-1)

The submitted details are considered acceptable for the purposes of Condition 13 and this condition is discharged. It is a requirement of this condition that the development shall not

Kirklees Council
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be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained

Condition 14 - Sound Insulation

The following information has been submitted:

- Acoustic Survey and Assessment authored by Martin Environmental Solutions Ltd (dated August 2024, reference no. 2780-1)

The submitted information is not accepted and KC Environmental Health have confirmed they recommend the condition is not discharged at this time. This condition is therefore not discharged.

Condition 15 – Coal Mining Activity

The following information has been submitted:

- Coal Mining Risk Interpretation Report prepared by Lyons CMC (dated 29th August 2024, reference no. SI 00324)

The Coal Authority's Planning & Development Team have confirmed they are unable to recommend that the LPA should discharge Condition 15 at this time as no information has been provided to confirm that any necessary remedial and/or mitigatory measures have been carried out, as per the requirements of part b). This condition is therefore not discharged.

Yours faithfully

Mathias Franklin
Head of Planning and Development