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:	**2025/44/90584/E**
Site Address:	Former, Babes In the Wood, 1039 , Leeds Road, WoodKirk, Dewsbury, WF12 7HY
Description:	Discharge of details reserved by conditions 4 (Noise Management Plan) and 5 (sound attenuation scheme) of previous permission 2023/90434 for change of use of ground floor of vacant public house (Sui Generis-drinking establishment) to community centre with a small prayer room (Class F1)
Recommending Officer:	Elenya Jackson

DECISION – Discharge of Conditions - 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: 20-Mar-2025

Officer Report

Former, Babes In the Wood, 1039 , Leeds Road, WoodKirk, Dewsbury, WF12 7HY

Discharge of details reserved by conditions 4 (Noise Management Plan) and 5 (sound attenuation scheme) of previous permission 2023/90434 for change of use of ground floor of vacant public house (Sui Generis- drinking establishment) to community centre with a small prayer room (Class F1)

Condition 4:
Before the development site is brought into use, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail the control measures that will be taken to ensure that noise does not arise from the use of the property and the action(s) that will be taken to ensure there is no loss of amenity to neighbouring properties. The approved Noise Management Plan shall be implemented before the use commences, reviewed periodically and retained thereafter.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Condition 5:
Before the development is first brought into use, all works which form part of the sound attenuation scheme as specified in the Noise Breakthrough Assessment authored by Nova Acoustics dated 6 April 2023 Ref NP-009258: a) shall be completed; and b) written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority. If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved, then a further scheme shall be submitted for approval of the Local Planning Authority incorporating further measures to achieve those noise levels. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have 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 the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework. Condition
Assessment Condition 4

The following details have been submitted:

- Noise Management Plan Ref 2023A

KC Environmental Heath have been consulted on the above application and have responded stating that the submitted details sufficiently outline the measures to prevent noise nuisance and detail the actions to mitigate any disturbance to the surrounding area.
The details are considered acceptable for the purposes of condition four. However, as the condition requires the details to be reviewed periodically and retained, the condition must remain in situ for the lifetime of the development.

Assessment Condition 5

The following has been submitted:

- Sound insulation test certificate

The details have been reviewed by KC Environmental Health, and it is considered that the sound insulation between the residential and commercial use meet the requirement of the condition.

This is considered acceptable for the purpose of condition 5.

Decision notice text

Condition 4

The following has been submitted:

- Noise Management Plan Ref 2023A

The details are considered acceptable for the purposes of condition five. However, as the condition requires the details be reviewed periodically and retained, the condition must remain in situ for the lifetime of the development.

Condition 5

The following has been submitted:

- Sound insulation test certificate

The details provided are considered acceptable for the purpose of condition 5.