

1 April 2025
Cover Letter – Batch 1



Director of Planning
Kirklees Council offices
Civic Centre 3
Market Street
Huddersfield
HD1 2EY

Amy Pickering

3 Wellington Place
Leeds LS1 4AP

Planning Portal reference: **PP-13867737**

Dear Sir/Madam,

Discharge of conditions 4, 5 and 6 of planning application reference 2023/62/93486/E relating to the commercial development at Shaw Cross Business Park, Owl Lane, Dewsbury, WF12 7RD.

On behalf of our clients, Crossbay II (UK) Propco 1 Limited, we are seeking to discharge conditions 4, 5 and 6 in respect of the planning application reference 2023/62/93486/E.

Stocktake and background information

Planning consent was originally granted on the 16th May 2024, under application reference 2023/62/93486/E, for a *'Full Planning Application for building subdivision to create two separate units of General Industrial (B2) and Storage and Distribution (B8) Use, associated re-orientation of car parking and service yards, erection of a noise barrier and the addition of associated ancillary office space.'*

Following the granting of planning consent in May 2024, we are now looking to implement the permission (referenced: 2023/62/93486/E) and therefore want to discharge the outstanding 'prior to occupation' conditions.

As the first step, this discharge of conditions application relates to conditions 4, 5 and 6 of application reference 2023/62/93486/E.

Conditions

The relevant conditions to this discharge of condition application are outlined below. These conditions are all attached to application reference 2023/62/93486/E.

Condition 4 states:

'Before the development is brought into use, an acoustic barrier, as recommended and shown in figure 6 of the Noise Impact Assessment authored by Ramboll dated November 2023 Ref RAM-XX-XX-RP-AC-00001, and as specified in the drawing from Edward Architecture dated November 2023 Ref P011, shall be erected and retained thereafter.'

Condition 5 states:

'Before the development is brought into use, a Noise Mitigation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the noise mitigation measures that will be used at the proposed development to control noise from the site, and it shall demonstrate that the noise will not cause a loss of amenity at nearby noise sensitive premises. The approved scheme shall be implemented before the development is brought into use and retained thereafter.'

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Condition 6 states:

'The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.'

Discharge of Conditions application and next steps

Condition 4

In accordance with Figure 6 of the Noise Impact Assessment produced by Ramboll, dated November 2023 (document reference: RAM-XX-XX-RP-AC-00001) and as shown on the acoustic barrier drawings provided by Edward Architecture dated November 2023 (document reference: 1111-EA-A-P011), we can confirm that the acoustic barriers at the above property have been erected and will remain in place for the lifetime of the development. As per the plans, the barrier has been positioned to the south east part of the site between the residential properties associated with Amberwood Chase and Cedar Court and the industrial units.

By way of evidence, please find submitted in support of this discharge of condition application photographic evidence of the barrier in place, as set out within the document titled 'Photographic Evidence of Acoustic barrier'.

It is therefore considered that condition 4 has been satisfied.

Condition 5

We recognise that to discharge Condition 5 a Noise Mitigation Scheme is provided to the local planning authority for approval. We can confirm that Ramboll have been instructed to produce a Noise Mitigation Scheme which will cover details of the noise mitigation measures that will be used at the proposed development to control noise from the site, and will demonstrate that the noise will not cause a loss of amenity at nearby noise sensitive premises. This document will follow on in due course for consideration.

Condition 6

Table 5 in the Noise Impact Assessment (document reference: RAM-XX-XX-RP-AC-00001), details the noise limits which apply to noise from fixed mechanical services and external plant and/or equipment.

In order to discharge condition 6, we can confirm the combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time.

A confirmation statement prepared by Ramboll will confirm that the fixed mechanical services and external plant and equipment does not exceed the background sound level at any time. This statement will follow on for consideration.

We can confirm that the required application fee of £383 (inclusive of Planning Portal admin fee) has been paid via the Planning Portal.

I trust the information submitted is sufficient for the application to be validated and for the relevant conditions to be discharged. If however you do require any additional information then please do not hesitate to contact myself or my colleague Adam Key at the above address.



Yours sincerely,

Amy Pickering, Graduate Planner