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Date: 13-Jun-2025  
Our Ref: 2025/91051

Dear 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 details reserved by conditions 4 (Acoustic Barrier), 5 (Noise Mitigation Scheme), 6 (Noise Control) on previous permission 2023/93486 for reconfiguration of building, re-orientation of car parking and service yard, erection of a noise barrier and external alterations  
Shawcross 170, Churwell Vale, Shawcross Business Park, Dewsbury, WF12 7RD  
Application Number: 2025/91051**

I write with reference to your application to discharge the conditions for the above development as submitted on 14-Apr-2025.

Condition 4 – Acoustic Barrier

In support of the discharge of condition 4, the applicant has submitted a document titled:

- ‘Condition 4 – Photographic Evidence of Acoustic Barrier’.

The document shows details of a 3m high timber fence which appears to be located in the same location as specified in figure 6 of the Noise Impact Assessment and provides photographs showing that this has been installed.

While the above is acknowledged, the information provided is not considered definitive to confirm whether the fence is fully in the correct location, nor to the correct specification, as required by condition.

Notwithstanding the above, it should be noted that condition 6 is a prescriptive planning condition that cannot, and need not, be discharged. It sets a required standard that must

be adhered to. It does not require that any details be provided, to demonstrate compliance or otherwise.

Given the above condition 4 remains, as a prescriptive, ongoing requirement, and cannot be discharged.

#### Condition 5 – Noise Mitigation Scheme

At the time of assessment, no Noise Mitigation Scheme has been submitted. On this basis, condition 5 cannot be discharged and must therefore remain.

#### Condition 6 – noise control

You have provided the following statement pursuant to condition 6:

*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.*

At the time of assessment, the aforementioned confirmation statement has not been submitted.

Whilst the above is acknowledged, it should be noted that condition 6 is a prescriptive planning condition that cannot, and need not, be discharged. It sets a required standard that must be adhered to. It does not require that any details be provided, to demonstrate compliance or otherwise.

Yours faithfully.

Mathias Franklin  
Head of Planning and Development