

**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:	2025/44/92469/E
Site Address:	Dc Ground And Tree Care, Station Lane, Heckmondwike, WF16 0NF
Description:	Discharge of details reserved by conditions 3 (bin store), 4 (noise report) on previous permission 2024/91571 for erection of new warehouse/office unit
Recommending Officer:	Nicole Helliwell

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.

Emma Thompson

AUTHORISED OFFICER

Date: 29-Oct-2025

Officer Report

Reference No. 2025/44/92469/E

Site Address: Dc Ground And Tree Care, Station Lane, Heckmondwike, WF16 0NF

Proposal: Discharge of Conditions application (2025/92469) for Discharge of details reserved by conditions 4 (Noise Report), 5 (Bin Store) on previous permission 2024/91571 for erection of new warehouse/office unit

Assessment

Condition 4 – Noise Report

4. Before construction work commences, a noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- a) an assessment of all noise emissions from the proposed development*
- a) details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises*
- b) a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation*

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.

Reason: *This pre-commencement condition is necessary 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.*

Assessment of Condition 4

The applicant has submitted an Acoustic Report authored by PHA Acoustics (dated 27th August 2025, reference no. J3359 Rev 0). The report outlines the proposal and identifies the nearest noise sensitive receptors (NSRs) making reference to the requirements of the condition.

A background noise survey was conducted on the 27th of August 2025 from a single monitoring position at the boundary of the nearest NSRs as shown in Appendix A. A summary of the findings is shown in Paragraph 8.1 with comment made that the primary source of noise was road traffic but that some operational noise was noted along with some off site construction work.

Based upon the measured levels, the report predicts a slight exceedance as shown in Paragraph 9.0.1 stating +3dB over the existing level would be deemed perceptible so this must be the design target. The hours of use are stated and so this limit is for daytime use only. Discounting the construction of the

development which would be temporary, the report focuses on the following sources of noise:

- Car Park Noise
- Service Vehicle Noise
- Noise Breakout from Building
- Fixed Plant Noise

The report proceeds to predict noise levels from each of these uses with each assessment showing no exceedance over the target level. A recommendation is made in Paragraph 9.7.2 for a Noise Action Plan to be implemented with examples given and the applicant is reminded that all activities on site must comply with Best Practicable Means (BPM) at all times. KC Environmental Health have confirmed that the findings of the report are accepted and as such, the condition can be discharged.

Condition 5 – Bin Store

5. Before construction work commences, details of suitable storage, bin presentation points and access for collection of wastes shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Reason: *This pre-commencement condition is necessary in the interests of visual amenity and highway safety and to accord with the requirements set out in Local Plan Policy LP24 part d(vi).*

Assessment of Condition 5

The applicant has submitted a document titled 'Proposed' (reference no. 24/31/2, dated April 2024) has been received in support of the application to discharge Condition 5. The submitted drawing shows a bin storage area within the proposed car park. Whilst it is unclear whether waste collection would be undertaken privately or via Kirklees Council, KC Highways Development Management consider that the site is accessible and have no objection to the discharge of this condition.

Decision Notice Text

Condition 4 – Noise Report

The following information has been submitted:

- Acoustic Report authored by PHA Acoustics (dated 27th August 2025, reference no. J3359 Rev 0)

In conclusion, the submitted details are considered acceptable for the purposes of Condition 4 and therefore the condition can be discharged.

Condition 5 – Bin Store

The following information has been submitted:

- Proposed (reference no. 24/31/2, dated April 2024)

The details provide sufficient information to address outstanding matters regarding bin storage and collection. The development shall be carried out in accordance with the information provided. In conclusion, the submitted details are considered acceptable for the purposes of Condition 5 and therefore the condition can be discharged.