



Planning Department
Kirklees Metropolitan Council
Planning Services
Huddersfield
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Our ref.
Your ref. 2024/90058

22 October 2025

Dear Planning Department,

DISCHARGE OF CONDITIONS APPLICATION

RESERVED MATTERS APPLICATION, INCLUDING THE CONSIDERATIONS OF APPEARANCE, SCALE, LAYOUT, AND LANDSCAPING, FOR THE ERECTION OF 67 DWELLINGS, PURSUANT TO OUTLINE PERMISSION 2020/92307 FOR THE ERECTION OF RESIDENTIAL DEVELOPMENT (UP TO 75 UNITS) AND THE DISCHARGE OF OUTLINE CONDITIONS 7 (ARCHAEOLOGY), 8 (FOUL AND SURFACE WATER DRAINAGE STRATEGY), 9 (FLOOD ROUTING), 10 (MITIGATORY TREE PLANTING), 11 (CYCLE PARKING), 12 (ARBORICULTURAL ASSESSMENT), 13 (ECOLOGICAL DESIGN STRATEGY), 14 (ECOLOGICAL IMPACT ASSESSMENT) AND 15 (NOISE IMPACT ASSESSMENT)

I am writing to formally submit an application to discharge condition 7 attached to the approved planning permission (2024/61/90058/W) for Penistone Road/ Rowley Lane, Fenay Bridge. The wording of this condition is:

Prior to works above foundation level commencing, notwithstanding the submitted information, a Noise Impact Assessment report shall be submitted to and approved in writing by the Local Planning Authority. The Noise Impact Assessment demonstrate how each dwelling hereby approved shall adhere to BS8233 regarding sound insulation and noise reduction. The report shall:

a) Clearly show which habitable rooms in which plots will not achieve satisfactory indoor sound levels with windows open (35dB daytime / 30dB nighttime) and for these rooms provide a detailed specification of the noise mitigation measures that are necessary to achieve satisfactory indoor sound levels, including (but not necessarily limited to) the potential use of acoustic barriers an alternative ventilation scheme, where required.

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honey, Lumina, Park Approach, Leeds, LS15 8GB

b) Clearly show which external amenity areas at which plots will have daytime noise levels that exceed 50dB LAeq,16hour and for these plots provide a detailed specification for the additional noise mitigation measures that are required so that the outdoor noise levels at these plots does not exceed 50dB LAeq,16hour.

In relation to the above, this submission consists of NA102384-5_V1 Penistone Road – Noise Impact Assessment and Boundary Treatments Plan Rev C to illustrate our barrier proposals. Whilst the majority of the development achieves the required levels of noise or can be mitigated for, we would request to deviate from the noise survey's recommendations for the barrier to the rear garden of plots 50 and 67.

Both walls in question are proposed and approved as 1.8m pier and panel stone walls due to the prominent position of each of them. To reach the 50db limit, the report states that these walls should be 2.8m (plot 67) and 3m (plot 50) high. Given the comments received throughout the reserved matters application process regarding the western boundary aesthetics and proposals to soften the impact of the western retaining wall, we believe it would be detrimental to the scheme to introduce another 3m wall (same height as the retaining wall) on this boundary. Not only that but this would be drastically overbearing to the occupier's rear gardens.

Following discussion with the noise assessor they have confirmed: *"With 1.8 m barriers, the site would comply with the typical noise levels suggested within WHO guidance which has an upper advisory limit of 55 dB (which can be exceeded in proximity to roads where development is desirable). So there is a reasonable argument to be made for raising the noise limits without unduly impacting amenity in gardens."*

Following the above, we have proposed a 2.2m pier and panel stone wall to both of these plots as what we hope is seen as a compromise and would urge the assigned planning officer to consider this in their decision.

I trust that the submitted information meets the necessary requirements for this application. Please let me know if any additional information is required to facilitate the approval process.

Andy Gorrod

Planning and Technical Manager