

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:	2026/44/91321/W
Site Address:	Land Adjacent, 2, Hoyle Ing, Linthwaite, Huddersfield, HD7 5RX
Description:	Discharge of details reserved by condition 14 (noise) on previous permission 2022/94124 for erection of 2 dwellings (Use Class C3) and associated landscaping and car parking (within a Conservation Area)
Recommending Officer:	John Holmes

DECISION – APPROVE DISCHARGE OF CONDITION 14

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 10-Jun-2026

DISCHARGE OF CONDITIONS

The merits of the application have previously been assessed under reference 2022/94124 and permission granted on 13th December 2023 for 'erection of 2 dwellings (Use Class C3) and associated landscaping and car parking (within a Conservation Area)'

The applicant is now seeking to discharge Condition 14 (noise).

ASSESSMENT

Condition 14

The wording of condition 14 is as follows:

Before construction work commences or completion of enabling works a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development including any commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The report shall:

- a. Determine the existing noise climate*
- b. Predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time) and other habitable rooms of the development*
- c. Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required). The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.*

Reason: *To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with Policies LP24 and LP52 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.*

The application has been submitted with an accompanying noise impact assessment. The document submitted (ref: 21104-RP-NIA-01) has been assessed by the Council's Environmental Health Team.

Following their review, the Environmental Health Team have stated, within their response of 3rd June 2026, that the submitted detail sets out that a noise survey was undertaken on 07th May 2026 from 09:35 hours until 16:35 hours, and then again from 20:05 hours until 04:05 hours. They go on to set out that a summary of the results of the environmental noise survey are presented in table 3.2 of the document.

The Environmental Health Team note the conclusions of the report, specifically that no specific noise mitigation measures are necessary and that standard double glazing will result in a predicted internal noise level of around 20dB LAeq during the daytime, and around 14 dB LAeq nighttime, the [BS8233:2014] should be readily achievable even with an open window, a BS4142 assessment confirms that industrial noise sources are low and

significantly below the internal adopted noise criteria and that the noise levels within the external amenity areas are in line with the guidance presented within BS8233:2014.

This is accepted by the Environmental Health Team who confirm that condition no.14 can be discharged.

Taking account of the submitted detail and response of the Environmental Health Team it is considered that the submitted report satisfies the requirements of condition no.14 and it is recommended this condition is discharged.

DECISION LETTER TEXT

Condition 14

You have submitted the following: -

- Noise Impact Assessment (ref: 21104-RP-NIA-01)

The submitted report satisfies the requirements of condition no.14 and this condition will be discharged by the carrying out of the approved scheme prior to occupation of the dwellings, and its retention thereafter.