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:	**2026/44/91645/E**
Site Address:	former Commercial Hotel, 125, Wellington Street, Batley, WF17 5TH
Description:	Discharge of details reserved by condition 4 (noise) on previous permission 2026/90168 for erection of commercial unit for vehicle software diagnostics centre
Recommending Officer:	James Evans

DECISION – DISCHARGE OF CONDITION 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.

John Holmes

AUTHORISED OFFICER

Date: 27-Aug-2026

DISCHARGE OF CONDITIONS

Reference No. 2026/91645

Site Address: Commercial Hotel, 125, Wellington Street, Batley, WF17 5TH

Proposal: Discharge of details reserved by condition 4 (Noise) on previous permission 2026/90168 for erection of commercial unit for vehicle software diagnostics centre.
The merits of the application have previously been assessed under reference 2026/90168 and permission granted for erection of commercial unit for vehicle software diagnostics centre.

The applicant is now seeking to discharge Condition 4 (Noise)

ASSESSMENT

Condition 4 (Noise)

Condition no.4 states the following:

> *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:*
> *• an assessment of all noise emissions from the proposed development*
> *• details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises*
> *• 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:** 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 14 and 19 of the National Planning Policy Framework.

As part of the application the following has been submitted: -

- Application Forms
- Noise Assessment - 3289-1a

Consultee Response:

KC Environmental Health have been formally consulted on the application and provided the following response:

The applicant has submitted a Noise Impact Assessment (NIA) authored by Martin Environmental Solutions Ltd dated June 2026 Ref 3239-1 which describes the neighbouring environment. The NIA is based upon the proposed Vehicle Software Diagnostics Centre operating with no mechanical works undertaken on site. Para 3.12 states the assessment has been based on the worst-case assumption that doors will be left open to the building, thus very little attenuation will be experienced between the internal activities and the neighbouring properties.

A background noise survey was undertaken between 1100hrs to 1400hrs on the 21st of May 2026 with the resultant levels shown in Appendix A. Based upon library data for a MOT station, a BS4142 assessment has been conducted and after applying a +3dB correction, the table in para 3.17 shows a low impact.

The findings of the report are accepted.

***Recommendations**:*

The submitted information is accepted and we recommend the condition can be discharged.

Taking account of the submitted detail and the response of the Environmental Health Team it is concluded that the scheme submitted for the Discharge of Condition 4 is acceptable, in accordance with policies LP24 and LP52 of the Kirklees Local Plan and Chapters 14 and 19 of the National Planning Policy Framework. This condition is therefore recommended to be discharged.

DECISION LETTER TEXT

Condition 4:

You have submitted the following: -

- Application Forms
- Noise Assessment - 3289-1a

It is considered that the noise assessment report submitted is satisfies the requirements of condition 4 and is acceptable. Condition no.4 is therefore

satisfied and discharged on the basis all works comprised within the measures specified in the approved report have been carried out in full and such measures are thereafter retained.