

Consultation Response from KC Environmental Health – Pollution & Noise Control		
2018/94067		
Bar Street, Batley, Kirklees		
Alterations to former mill to form 7 dwellings		
Date Responded: 06-02-2019	Responding Officer: Dion Gervin	Responding Ref: WK/201901844
<p>The proposed development is in close proximity to various noise sources which could have an effect on the amenity of the proposed residential apartments during both the day and night. The proposed bedrooms and living rooms face on to several of commercial premises; mainly takeaways which all have external extraction systems. The proposed development also shares a wall with an active bedding manufacturer who use industrial equipment during their operations. In addition to this, there is a nightclub situated to the north east of the site which Environmental Health have historically received noise complaints about. In summary all of these noise sources need to be assessed as they all can have a detrimental effect on residential dwellings. I have recommended that a noise report is required to address all of these issues prior to determining the application.</p> <p>Air quality</p> <p>There are no proposed parking spaces with this application therefore Electrical vehicle charge points are not applicable.</p> <p>Contaminated land</p> <p>The site does site on land that has been identified as potentially contaminated on our internal mapping systems. However from the information provided by the applicant there are no excavation works proposed so no need to a Phase 1 investigation</p> <p>Reporting of Unexpected Contamination</p> <p>In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, works on site shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.</p> <p>Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the local planning authority.</p>		

Recommended condition

I am concerned that the proposed development may be subject to elevated levels of noise from the active commercial warehouse attached to the building and other nearby commercial uses. Therefore, **before determining the application**, it is recommended that the applicant provides the Local Planning Authority (LPA) with an acoustic report by a suitably competent person (see note).

The report shall

- (i) Determine the existing noise climate
- (ii) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development
- (iii) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

If levels predicted in the report are unacceptable, it may be necessary to refuse the application. Otherwise, it may be necessary to specify attenuation measures as conditions of consent.

Note

A competent person should undertake any noise survey and developers may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/Pages/Links.htm> (01736 852958) or the Institute of Acoustics <http://www.ioa.org.uk> (01727 848195) for a list of members.