

<b>Consultation Response from: KC Environmental Health (Pollution &amp; Noise Control)</b>		
<b>2020/92351 Batley Police Station, Market Square, Batley, WF17 5AA</b>		
<b>Change of use of former police station to 9 apartments with associated works (Within a Conservation Area)</b>		
<b>Date Responded: 26 October 2020</b>	<b>Responding Officer: Mohammed Nasim</b>	<b>Responding Ref: WK/202021984</b>
<p><b><u>Comments</u></b></p> <p>In our original consultation response dated 7 Sep 2020, we recommended a condition requiring a noise impact assessment with details of necessary noise mitigation measures. The applicant has now submitted a noise impact assessment authored by Acoustic Solutions dated 10 October 2020 Ref 1965-76-20. The findings of the assessment show the Western façade of the building to be exposed to noise levels exceeding those within BS8233 and this is shown in table 5.2 for daytime and evening levels and table 5.3 for nighttime levels.</p> <p>Para 6.1 of the assessment recommends mechanical ventilation and whilst a noise level of 23dB is quoted at 3m, the Technical Information on the Titon website for this product - <a href="https://www.titon.com/uk/products/ventilation-systems/continuous_mechanical_extract/solace-dmev/">https://www.titon.com/uk/products/ventilation-systems/continuous_mechanical_extract/solace-dmev/</a> shows the airflow and subsequent noise can be increased (32dB @ 3m) and so we need to consider the possibility of the occupiers increasing the ventilation whilst not being subjected to higher levels of noise. No information is given on attenuation and so a condition is therefore recommended to ensure there is no loss of amenity to the occupiers of the properties on this façade.</p> <p><b><u>Recommended Conditions</u></b></p> <p><b>NC1 Implement Agreed Noise Mitigation Measures – Condition</b></p> <p>Before the development is first brought into use, all works which form part of the sound attenuation scheme as specified in paragraph 6 the Noise Report produced by Acoustic Solutions dated 10 October 2020 (Ref 1965-76-20)</p> <ul style="list-style-type: none"> <li>a) shall be completed; and</li> <li>b) written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.</li> </ul> <p>If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved, then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels.</p> <p>All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first</p>		

brought into use.

**NC7 Ventilation of habitable rooms if windows need to be kept closed - Condition**

Because windows need to be kept closed to prevent excessive noise levels, before any construction work commences, a ventilation scheme shall be submitted to and approved in writing by the Local Planning Authority. The ventilation Scheme shall show how habitable rooms of these apartments shall be provided with sufficient ventilation to help control thermal comfort and avoid over heating during hot weather without the need to open windows. All works which form part of the approved scheme shall be completed prior to occupation of the aforementioned apartments and retained thereafter.

**Reason:** In the interests of amenity of the occupiers of these properties and to accord with the requirements of policy **xxxxxxx**

**NF7 - Footnote to accompany condition NC7**

A ventilation scheme that meets the performance specification given in Part 6 of Schedule 1 of the Noise Insulation Regulations 1975 is likely to be acceptable. Trickle ventilation alone is unlikely to provide sufficient ventilation to help control thermal comfort without the need to open windows and would therefore not be acceptable.

**CSC1 Construction Site Working Times - Condition**

Noisy construction related activities shall not take place outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00hours , Saturdays
- With no noisy activities on Sundays or Public Holidays

**Reason:** To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and **xxxxxxx** of the Local Plan

**CSF1 Construction Sites working times – Footnote**

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists, or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

**Note** - These recommendations supersede our previous recommendations.