

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2020/93742 - adj Hebble House, 10, Hebble Court, Thornhill Lees, Dewsbury, WF12 0AY
Erection of 3 detached dwellings
Responding Date:
15 August 2022

Responding Officer:
Mohammed Nasim

Responding Ref:
WK202214668

Comments

In our comments dated 27 June 2022, we recommended an alternative ventilation scheme be installed due to high levels of noise. In response, the applicant has sent an e-mail stating a Greenwood Vireo HR185WM Heat Recovery Ventilation System is to be installed and a User/Homeowner Guide is attached. Also attached is an undated and unreferenced drawing showing the installation and the rooms that the MVHR system will serve.

The submitted information is accepted but the applicant will need to evidence the acoustic specification of the proposed ventilation system demonstrating that when operated, it will not cause indoor noise target levels to be exceeded. The submitted user guide makes reference to a noise level (52dB (A)) but the applicant is reminded of the requirements within BS8233 which are shown below -

Table 4 - Indoor ambient noise levels for dwellings

Activity	Location	0700 to 2300hrs	2300 to 0700hrs
Resting	Living Room	35dB LAeq,16hr	-
Dining	Dining Room/Area	40 dB LAeq,16hr	-
Sleeping (Daytime Resting)	Bedroom	35 dB LAeq,16hr	30dB LAeq,8hr

The recommended conditions remain.

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

Before construction commences, a ventilation scheme for rooms where windows need to be kept closed to prevent excessive noise levels shall be submitted to and approved in writing by the Local Planning Authority. The ventilation scheme shall provide the following information -

- Identify which rooms of which plots referenced back to the approved Noise Assessment require a ventilation system
- The acoustic specification of the proposed ventilation system demonstrating that when operated it will not cause indoor noise target levels to be exceeded
- The ventilation Scheme must demonstrate how habitable rooms of these plots shall be provided with sufficient ventilation to help control thermal comfort and avoid over heating during hot weather without the need to open windows. This should include details of the air intake location and any summer bypass for any heat recovery system including a calculation for air changes/hour.

All works which form part of the approved scheme shall be completed prior to occupation of

the aforementioned plots and retained thereafter.

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. Acoustic 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.

BC1 Acoustic Barrier - Condition

Before the development is brought into use, details of an acoustic barrier shall be submitted to and approved in writing by the Local Planning Authority. The details shall include

- A plan showing the location of the barrier
- The minimum height of the barrier relative to the adjacent ground level
- The construction specification of the barrier including the barrier support structure, the barrier material, the minimum barrier thickness, the minimum density of the barrier material and the details where the barrier meets the ground.

The use hereby approved shall not commence until the construction of the acoustic barrier has been completed and the barrier shall be retained thereafter.

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 13.00 hours, 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 **xxxxx** 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.