Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2020/93941 - 132, Trinity Street, Huddersfield, HD1 4DT		
Alterations to convert existing basement into two apartments (Listed Building within a Conservation Area)		
Date Responded: 6th January 2021	**Responding Officer:** Natalie Heaney	**Responding Ref:** WK/202035786

Noise
The proposed development immediately adjacent to the A640 Trinity Street. The plans propose to place a new window at basement level on the façade facing the road and two windows to the side of the building, also adjacent to the highway. There are concerns that future occupiers at the development may be negatively impacted by noise from road traffic whilst inside the property. The applicant must demonstrate that acceptable sound levels can be achieved indoors, therefore, noise conditions are necessary. In addition, to protect the residential amenity of neighbouring properties, conditions restricting the hours of construction are appropriate.

Recommendations

NC9 Noise Assessment Report and Mitigation Scheme - Condition
Before construction work commences 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 (e.g. including road traffic) 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 areas (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.

NF4 Competent Person - Footnote
All noise assessments should be carried out by a competent person. Developers may wish to contact the Association of Noise Consultants http://www.association-of-noise-consultants.co.uk/ (020 8253 4518) or the Institute of Acoustics http://www.ioa.org.uk (0300 999 9675) for a list of members.

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.