

Consultation Response from KC Environmental Health – Pollution & Noise Control
2021/91662
50 Market Street, Milnsbridge, Huddersfield, HD3 4HT
Change of use and alterations to derelict chip shop to form one dwelling and refurbishment of existing first floor flat (within a Conservation Area)
Date Responded:
30 April 2021
Responding Officer: Kevin
Ellam
Responding Ref:
WK/202113548

I have reviewed the information submitted by the applicant and recommend the following planning conditions:

NOISE

Before construction work commences a report specifying the measures to be taken to protect the development from noise from nearby commercial premises on Market street and George Street 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 gardens (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.

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.

CONSTRUCTION
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

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.