

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2021/92073 - Prospect Business Centre, Prospect Street, Springwood, Huddersfield, HD1 2NU		
Prior approval for change of use from office (Class B1a) to ten residential units (Class C3)		
Responding Date: 23 June 2021	Responding Officer: Mohammed Nasim	Responding Ref: WK/202116298
<u>Comments</u> <u>Noise</u> The area is primarily commercial with the busy A62 to the rear of the site generating traffic noise. There are a number of noise generating sites in the immediate vicinity including the fire station and brewery and any noise from the direct or associated use will need to be considered. A noise impact assessment will be required in order to protect the amenity of the occupiers from external noise , both airborne and structure borne and also from any noise transmission between the proposed and existing apartments. A condition prior to determination is therefore recommended. <u>Air Quality</u> The site of the proposed development is in Huddersfield town centre within 20m of an existing Air Quality Management Area (AQMA 9) and next to a road of concern. The proposal is to convert the first floor and attic offices to 17 residential apartments. Our concern is that although the development itself will not be adding to the local air pollution it will be introducing sensitive receptors into an area of existing poor air quality, where NO₂ concentrations are predicted to exceed the national air quality objective for that pollutant. Therefore, an Air Quality Impact Assessment will be required to determine the impact of air quality on any future residents and to determine the mitigation measures required to offset that exposure. This assessment is necessary before the application can be determined. <u>Contaminated Land</u> According to our records the proposed development is located on land potentially contaminated due to its former use (our map ref 359/9). However, this application is for a change of use and therefore we do not anticipate any risk due to potential land contamination as it is our understanding that there are to be no external ground works or soft landscaped areas at the development site. However, if any external ground works are to be undertaken, a condition for unexpected contamination will be necessary. <u>Recommended Conditions</u> NA2 Noise Assessment Report Required Before Determining the Application (new noise sensitive use next to existing noise sources) Before the application can be determined, details of an assessment of all significant noise		

sources likely to affect the proposed development including road traffic, the fire station and noise from the commercial premises on the ground floor of the building, shall be undertaken by a suitably competent person (see note) and must be submitted in writing to the Local Planning Authority. The report shall:

- a) Determine the existing noise climate
- b) Predict the noise climate in living rooms (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. If the noise attenuation measures include windows being kept closed, then details of alternative ventilation over background ventilation will be 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.

NC5B – For use where proposed commercial and residential share a party structure (floor / ceiling or wall etc) – Condition

Before the development is brought into use the developer shall provide written evidence to the Local Planning Authority to demonstrate that the airborne sound insulation performance of the party ceiling of the development is of a minimum of 55dB $D_{ntw} + C_{tr}$. If it cannot be demonstrated that the aforementioned airborne sound insulation performance has been achieved, a scheme incorporating further measures to achieve the sound insulation performance shall be submitted for the written approval of the Local Planning Authority.

All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned sound insulation performance level has been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

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.

AQIAC 2 Air Quality Impact Assessment – New receptors in area of poor AQ – Condition

Before the application is determined a full Air Quality Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall determine the impact that the poor air quality in the area will have on the future occupiers of the proposed development and provide details of the required mitigation measures that will be provided to address any such adverse impact.

The approved mitigation measures shall be implemented before the development is first occupied & retained thereafter.

Reason: For promoting sustainable development and transport and conserving the natural environment in accordance with parts 2, 9 & 15 of the NPPF and XXXX of the Local Plan

CLC6 Reporting of Unexpected Contamination - Condition

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 groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area 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.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the 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.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework

CLC 7 Contaminated land - Footnote

All contamination reports shall be prepared in accordance with guidance in:

- Land Contamination Risk Management (LCRM)
- BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice
- Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020 by the Yorkshire and Lincolnshire Pollution Advisory Group