

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2021/62/92233/W
Site Address:	Excelsior Works, 35 , St John's Road, Huddersfield, HD1 5DX
Description:	Alterations to convert existing warehouse to 5 duplex apartments
Recommending Officer:	Emma Thompson

DECISION – Conditional Full Permission

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 26 September 2024

Officer Report

Site Description

The application site comprises of 35 St John's Road, Birkby which forms part of a wider group of buildings known as Excelsior Works. The site is located on the western side of St John's Road, within reasonable walking distance from the town centre.

The site forms part of a key gateway into Huddersfield town centre. Much of the site has been refurbished or in the process of being so.

The building subject of this application is part of the complex and includes a large building (Excelsior House) that fronts St John's Road, it appears to have been used as ancillary office accommodation to the works. The front façade benefits from architectural interest important in the context of nearby development. Some remedial works are evident to the site including the replacement of the roof.

The adjoining buildings to the north and south form an attractive frontage along St Johns Road with detailed façade and slate roofs. Considerable works have taken place in the neighbouring units to convert these to alternative uses including residential accommodation. The adjacent site provides three storey student accommodation.

The buildings are deeply set between the highway and an area of woodland at the rear.

To the east are several large industrial units set down at a lower level and accessed from Beck Road. A mixture of commercial activities occupies the units.

Description of Proposal

Alterations to convert existing warehouse to 5 duplex houses.

The application forms part of a wider scheme of ongoing redevelopment of the site.

The development proposed converts the building which fronts St John's Road forming the front boundary to the courtyard to create duplex accommodation for students. The existing building is proposed to be converted "vertically" to provide ground floor living accommodation and bedroom accommodation above.

Each unit provides around 40 sqm of internal space with a single bedroom space to the upper floor. The Design and Access statement clarifies that each unit is to provide single person accommodation to be occupied/intended for students.

The application does not include any off street parking.

History of negotiations/amendments received

None

Relevant Planning History

2008/93636 – Outline application for 54 apartments - approved

2012/93174 - Full approval student accommodation and small retail unit and caretakers flat. – Approved - *expired*

2018/90108 – Alterations to convert existing warehouse to 51 student apartments –(neighbouring building) – s106 for Travel Plan monitoring executed and approval issued.

2019/90707 – Alterations to convert link building to 6 student townhouses –
Conditional full permission

Adjacent site:

2021/93038 – Conversion and change of use of existing derelict warehouse to
multifunctional community building use class E(f) F1(f) and F2(b) –
Conditional Permission subject to s106.

2024/91373 – Discharge of conditions 3, 8 and 13 on application 2021/93038
Approved.

Representations

Final publicity date Expires: Neighbour Notifications expired 8th April 2019;
Site Notice expired 12th July 2021.

No comments received.

Consultation Responses

The following is a brief summary of Consultee advice (more details are
contained in the Assessment section of the report, where appropriate):

- KC Highways DM: No objections
- KC Environmental Health: No objections subject to conditions
- Coal Authority: No objections

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires
that planning applications are determined in accordance with the
Development Plan unless material considerations indicate otherwise. The
statutory Development Plan for Kirklees is the Local Plan (adopted 27th
February 2019).

The site is unallocated on the Kirklees Local Plan.

Kirklees Local Plan (LP):

LP1 Presumption in favour of sustainable development

LP7 Efficient and effective use of land

LP11 Housing mix

LP20 Sustainable travel

LP21 Highways, access and safety

LP22 Parking

LP24 Design

LP30 - Biodiversity

LP53 Contaminated and unstable land

National Policies and Guidance:

National planning policy and guidance is set out in National Policy
Statements, primarily the National Planning Policy Framework (NPPF)
published December 2023, the Planning Practice Guidance Suite (PPGS) first
launched 6th March 2014 together with Circulars, Ministerial Statements and
associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material
consideration in determining applications.

Chapter 2 – Achieving sustainable development

Chapter 5 – Delivering a sufficient supply of homes

Chapter 12 – Achieving well-design and beautiful places

Chapter 15 – Conserving and enhancing the natural environment

Assessment

Principle:

The building to which this application relates is set back from St John's Road tucked to the rear behind existing buildings that front the main road. The wider site consists of a number of residential properties so of which are occupied. As such the previous uses as for industrial or commercial activity is long extinguished.

With regards to the site subject of this application it has been noted that other than works to replace the roof the building remains unoccupied. The reuse of the building is welcomed and will contribute to the regeneration of the site.

The conversion of the building would further contribute in terms of bringing a vacant building back into a viable use providing longevity in an area that has been subject to decline.

The site is unallocated on the KLP Policies Map. Policy LP2 states that:

“All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the local plan, in order to protect and enhance the qualities which contribute to the character of these places, as set out in the four sub-area statement boxes below...”

The 2023 update of the five-year housing land supply position for Kirklees shows 3.96 years supply of housing land, and the 2022 Housing Delivery Test (HDT) measurement which was published on 19th December 2023 demonstrated that Kirklees had achieved a 67% measurement against the required level of housing delivery over a rolling 3-year period (against a pass threshold of 75%).

As the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and delivery of housing has fallen below the 75% HDT requirement, it is necessary to consider planning applications for housing development in the context of NPPF paragraph 11 which triggers a presumption in favour of sustainable development. This means that for decision making “Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (NPPF Footnote 8), granting permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (NPPF Footnote 7) ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

The Council's inability to demonstrate a five-year supply of housing land, or pass the Housing Delivery Test, weighs in favour of housing development but this has to be balanced against any adverse impacts of granting the proposal. The judgement in this case is set out in the officers' assessment.'

Policy generally seeks to support residential development upon unallocated sites. Thus, residential development at the site could be acceptable in principle.

Policy LP7 of the Kirklees Local Plan establishes a desired target density of thirty-five dwellings per hectare. Policy LP7 states this target should be 'where

appropriate' and in the policy justification set out in paragraph 6.40 that the policy allows for lower 'densities where a site would not be compatible with its surroundings'. The provision of 5 dwelling units on the site is considered acceptable in this respect. Any greater conversion would result in lower quality of space and light for occupants. The higher density development is in keeping with adjoining uses.

The development of the site for residential accommodation would meet with the aims of Policies LP7 and LP11 in so far as the site would provide modest sized accommodation adding a mixture of size and tenure to the market. Taking into account the previous, and ongoing history of the wider site, it is considered that the principle of residential accommodation is accepted. Subject to considerations with regards to visual and residential amenity in addition to matters of highway safety the principle can be supported.

Visual Amenity:

Chapter 12 of the NPPF emphasises the importance of good design. Paragraph 131 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Decisions should ensure that developments are visually attractive, sympathetic to local character and history and establish a strong sense of place (paragraph 135). The layout of buildings should respect any character the area may have. New development should also respect the scale, height and design of adjoining buildings and be in keeping with the predominant character of the area.

The application involves the conversion of the existing building. The existing building is converted vertically to provide 5 units which are each set over ground and first floor. The existing openings are reused. Works have already been undertaken to replace the roof. The plans show alterations to include the erection of internal walls and installation of staircases. Entrance points for each unit are provided in the rear elevation so as to avoid altering the front façade.

The development proposed offers minimum changes to the external appearance of the building but occupation would inevitably result in improvements generally to the site frontage and wider area.

The courtyard to the rear provides circulation space for the site and dwellings surrounding.

Bin storage is to be shared with the wider site as existing and is located adjacent to the building accessible from St John's Road. Conditions imposed on the previous permission required a structure to not exceed 1.2 metres in height in order to screen the bin storage. This is considered sufficient to ensure the waste collection points will not detrimentally impact on visual amenity.

It is considered that the details would provide a development that would meet the aims of chapter 12 of the NPPF by contributing positively to the surrounding area improving a significant gateway into Huddersfield town centre and would also be in accordance with Local Plan Policies LP2 and LP24 of the Local Plan.

Residential Amenity:

Policy LP24 is relevant when assessing the impact of development. Proposals should promote good design, providing a good standard of amenity for future and neighbouring occupiers, including maintaining appropriate distances for between buildings.

The proposal is for conversion of an existing building that sits in close proximity to existing residential accommodation. The units to the west (rear) are in the process of being converted to residential accommodation and are set approximately 7 metres from the rear of the site. The proposals show entrance doors at ground floor level and a single bathroom window in the first floor. As such there will be no loss of privacy to occupants of the accommodation to the rear. The principal elevation serves as the outlook for the new units and as this is located adjacent to the road and opposite mature trees located to the east the privacy for future occupants will be protected. Taking into account the provision of residential accommodation in vacant buildings, and the precedent of accommodation in the adjoining building that has a similar relationship, it is considered, on balance, that a satisfactory level of amenity is achieved.

Future occupants:

The Nationally Described Technical Housing Standards should be applied to development where possible. However, the supporting information clearly sets out the accommodation is for a single person and whilst it is two storey there is no relevant stipulation in the space standards that can be applied. A pragmatic assessment is therefore required taking into account the current policy position along with the use for student accommodation which is transient over the course of the year. Each unit is around 40 sqm which would meet the 1 bedroom 1-person general space albeit for a single storey property which can be applied in this instance. Each bedroom meets the minimum spaces and retains adequate storage.

The main concern regarding each unit is the lack of openings to provide natural light and outlook. The units rely on existing openings as well as the introduction of rooflights to the bedroom of three of the units. The middle unit relies on the existing arch window to provide light and the end unit benefits from a loading door, to become a window, in the gable end. The two units with existing openings offer a better level of accommodation in terms of light and outlook. The remaining three units are reliant on a single rooflight alone for the bedroom. Whilst officers would not usually support such restricted light/outlook and alternative means of improving the accommodation have been explored, it is not considered possible to introduce additional openings without impacting on the character of the building. There is a balance between bringing the building into useable accommodation that has other restrictions in terms of lack of parking and outdoor amenity space along with protecting the character and integrity of the building. Furthermore, the position on St John's Road prominent in terms of access into the town centre and its improvement should be afforded some weight. Weighing up the proposals with the concerns above along with the provision of accommodation and efficient use of the site it is considered, on balance, that the scheme can be supported in this instance.

The D&A statement states that the accommodation will be for students and much of the immediate units are similar. Adding weight to the considerations

above, if the units are used for student accommodation this is likely to be intermittent and required on a temporary basis whilst studying. The units, therefore, would not offer permanent accommodation whereby space maybe considered more relevant.

It is not considered that the introduction of residential development will result in any loss of amenity to any existing occupants and new occupiers will be fully aware of the relationship with external buildings and spaces and the limitations on occupation to be imposed by condition. As such, the development is considered to accord with the aims of Policy LP24 in terms of residential amenity and as such is acceptable.

Noise:

The applicant has submitted a Supporting Statement from The Architects Bureau. It is undated and unreferenced, but the cover photograph is dated May 2021. Para 5.4 states a noise survey was undertaken in association with the Student Apartment scheme submitted in 2018 and it is proposed to follow the recommendations of that report i.e. all windows will be fitted with glazing of minimum specification 6mm glass x 12mm air gap x 6mm glass and a whole house vent will provide ventilation. In support of the 2018 application under 2018/90108, a Noise Impact Assessment was submitted authored by Acoustic Solutions dated 04 February 2018 Ref 1965-06-18. The objectives for the noise impact assessment were as follows:

- Establish the ambient and background sound levels at the application site and its surrounding environs
- Establish the specific sound level of all potential noise sources in the vicinity of the application site, specifically road traffic and noise associated with the operation of the nearby St John's Road Garage, 31 St John's Road.

Para 4.01 states in order to establish the ambient and background noise levels at the application site and its surrounding environs, a baseline noise survey was undertaken on 01 & 02 February 2018 between 07:00 and 23:00 hours (daytime) and 2300-0630 hours (night - time). Para 4.02 states for the purpose of the assessment, two noise monitoring positions, MP1 and MP2, were adopted

- MP1 - Microphone positioned 3 metres from the front façade of 33 St John's Road. MP1 can be described as a busy commercial road in the centre of Huddersfield.
- MP2 - Microphone positioned in the grounds of Huddersfield Muslim Community Centre, 52 Clare Hill, and as such is representative of the rear of 33 St John's Road.

Para 4.06 states the existing night noise source in the vicinity of MP1 was road traffic on St John's Road and passing pedestrians talking. The overall night-time sound environment could be described as reasonably quiet. Tables 4.1 and 4.3 contains a summary of the noise measurement data. The existing night-time noise sources in the vicinity of MP2 were road traffic on St John's Road. Tables 4.2 and 4.4 contain a summary of the noise measurement data. Tables 5.1 and 5.2 show the predicted daytime and evening noise levels at MP1 and tables 5.3 and 5.4 show the predicted daytime and evening noise levels at MP2. Table 5.5 shows the predicted night-time levels at MP1 and table 5.6 shows the predicted night-time levels at MP2. From the predicted levels, it is clear that there is an exceedance of the permitted levels at MP1 according to BS8233.

Section 7 recommends all windows to noise-sensitive rooms (living rooms and bedrooms) of the proposed dwellings facing St John's Road to be fitted with glazing of minimum specification 6mm glass x 12mm air-gap x 6mm glass with ventilation provided by acoustic vents. However, should the occupier(s) choose to open the window, then they will be exposed to unacceptable indoor sound levels. 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 and so an alternative ventilation system is necessary. An alternative ventilation system would need to provide a level of ventilation to properties affected by excessive external noise sufficient to replace the ventilation which would normally be provided by opening windows. During hot weather, the alternative ventilation system must be capable of drawing in cooling external air; any heat exchanges used for warming incoming air during cold weather must therefore be capable of being bypassed during hot weather. Similarly, systems that draw in air from the roof-space of the building would need a bypass to allow air from the outside to be drawn in during warm weather. Where the alternative ventilation system is mechanical, the self-generated noise created by the system must not cause excessive indoor sound levels. Also, the alternative ventilation system must not compromise the sound insulation properties of the building envelope. The findings of the report are accepted but conditions are recommended to implement the works in the Noise Impact Assessment and for an alternative ventilation strategy. Subject to condition the proposed development would adequately mitigate any potential loss of amenity as a result of noise in accordance with Policy LP52.

Highways:

KC Highways DM have been consulted on the application and provided comments in respect of the proposals.

The application is for alterations to convert an existing warehouse into five single bedroom dwellings at an existing building fronting on to St John's Road, a 30mph two way single carriageway local distributor road of approximately 10.4m width with footways on both sides and street lighting present.

Adjacent to the proposal site there are limited waiting/permit holders only parking bays and a bus stop box TRO marking. Opposite the site there is another bus stop box TRO marking. There is evidence of on street parking occurring opposite the site as this area is popular with commuters and as such the demand for parking during the day is very high.

St John's Road hosts a high frequency bus route and there are stops within 50m of the site. The site is approximately 700m walk from the town centre and 600m from Huddersfield railway station and as such is viewed as a relatively sustainable location.

No trip generation details were provided with the application, however it is not considered that a proposal of this size and type would generate sufficient traffic as to have a severe impact on the operation or efficiency of the local highway network.

No parking is to be provided with the proposals, however local guidance recommends 1 space per dwelling and 1 visitor space per 4 dwellings, this would equate to a total of 6 parking spaces. There is unrestricted parking opposite the site, however this is shared with other users and due to a high demand, spaces may not always be available. The proposal site would not be

eligible for resident parking permits. However, the site is in a sustainable edge of town centre location and due to the scale and position of the scheme there are, on balance, no objections to the lack of parking.

Waste Collection:

No details regarding waste storage and collection were provided with the application other than it would be within a site wide store. Having consulted further with KC Waste Management it is considered that the use of the existing unit is accepted in this instance. The applicant may need to review this in future. No condition is required.

The development proposals are supported and are in accordance with Policy LP21 and LP22 of the Local Plan.

Other:

Biodiversity:

Local Plan Policy LP30 requires that applications for planning permission incorporate measures which protect/enhance the ecology of the site. The scheme should provide enhancement in order to comply with the objectives of Chapter 15 of the NPPF. As such a condition is imposed requiring the installation of 2 bat boxes.

Coal Mining Risk:

The application site falls within the Development Low Risk Area and as such there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment.

Land contamination

The site has been identified as being potentially contaminated due to its previous use as a chemical works.

As such the full suite of land contamination conditions (pre-commencement due to the timing of carrying out the investigations and making the site safe) are required in this instance to ensure the development can be carried out and made safe for human occupation. Subject to the imposition of conditions the proposals are considered acceptable and in accordance with Kirklees Local Plan Policy LP53 and the NPPF.

Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice. This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Decision Authorisation - Delegated Powers

Application Number: 2021/92233

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP21, LP22, LP24, LP52 of the Kirklees Local Plan and advice within the National Planning Policy Framework.

3. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

4. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (3) groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

5. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (4) further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: This is a pre-commencement condition to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

6. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (5). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, 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. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

7. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures 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. 189 and 190 of the National Planning Policy Framework.

8. Before the development is first brought into use all works which form part of the sound attenuation scheme as specified in the Noise Impact Assessment authored by Acoustic Solutions (dated 04 February 2018) (Ref 1965-06-18) –
a) shall be completed; and

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.

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.

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 brought into use.

Reason: To ensure that appropriate investigations and assessments are carried out on site prior to occupation in order to protect the amenity of future occupants and to accord with Policies LP24 and LP52 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

9. 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 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. 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. A Standard Assessment Procedure (SAP) assessment would be acceptable to demonstrate that a risk of overheating is minimised. All works which form part of the approved scheme shall be completed prior to occupation of the aforementioned plots and retained thereafter.

Reason: To ensure that appropriate investigations and assessments are carried out on site prior to occupation to protect the amenity of future occupants and to accord with Policies LP24 and LP52 of the Kirklees Local Plan as well as the aims of the National Planning Policy Framework.

10. Prior to the development hereby approved being brought into use, two bat roost boxes (Schwegler 1WQ, or similar) shall be installed on the western elevation of the building at a height of at least 4 metres above ground level. Prior to operation of the development hereby approved, evidence showing the correct installation of the bat boxes shall be submitted to and approved in writing by the local planning authority. Thereafter the boxes shall be retained.

Reason: To provide ecological enhancement in accordance with the requirements of Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework.

11. The accommodation hereby permitted shall be occupied by students only, defined as persons whose main residence is elsewhere and who are enrolled on recognised full time courses at one of the higher educational establishments in the borough of Kirklees only and for no other purpose (including any other purpose in Class 3 and C4 of the Town and Country Planning (Use Classes) Order 1987(as amended) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

Reason: To retain effective control over the use of the building in the interests of highway safety and the amenity of future occupiers as the size of the units and the space to other buildings would not provide a high standard of amenity for permanent occupation and to accord with Policies LP22 and Policy LP24 of the Kirklees Local Plan.

NOTE:

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.

NOTE:

To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours Mondays to Fridays 08.00 and 13.00hours, Saturdays
With no working Sundays or Public Holidays In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans as existing	210(GA)001		1 st June 2021
Plans as proposed	210(GA)002		1 st June 2021
Design & Access Statement	The Architects' Bureau May 2021		1 st June 2021
Acoustic Report	Acoustic Solutions (dated 04 February 2018) (Ref 1965-06-18)		1 st June 2021

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Following discussions in respect of land contamination the agent has confirmed agreement to pre-commencement conditions.

Report Dated: 24/9/2024