KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	2021/44/93090/W
Site Address:	8, Dowker Street, Milnsbridge, Huddersfield, HD3 4JB
Description:	Discharge of condition 3 (noise report) on previous permission 2020/93297 for conversion of one dwelling to two flats (Listed Building within a Conservation Area)
Recommending Officer:	Ellie Worth

DECISION – Details for condition 3 acceptable

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 20-Sep-2021

Officer report – Discharge of conditions application

The application seeks to discharge condition 3 (noise report) on previous permission 2020/93297 for conversion of one dwelling to two flats (Listed Building within a Conservation Area).

Condition 3: Noise report
3. Before the hereby approved flats are first brought into use, 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 (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 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.
Reason: In the interests of the protection of residential amenity and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

Assessment
The applicant has submitted a Noise Impact Assessment authored by Philip Dunbavin Acoustics (PDA) dated 27 July 2021 (Ref J003453-5063-RDC-01), which has been assessed by Environmental Health Officers.

The report states ambient noise survey measurements were made between 1640hrs on Monday 19th July 2021 and 1150hrs on Tuesday 20th July 2021. Measurements were taken at a single location 1m from the façade of the site on Dowker Street and this is shown in figure 1. This is the worst-case façade with regard to noise exposure with the only significant noise source being road traffic on Dowker Street.

Table 2 of the report summarises the measured levels. A 3dB façade reflection correction has been subtracted from the measured values to obtain the equivalent free-field value.

Subjectively the noise climate at the development site was dominated by road traffic on Dowker Street. Although road traffic was not continuous there were regular ‘bursts’ of traffic related to the operation of traffic lights in the centre of Milnsbridge. Traffic included cars and some goods vehicles servicing the industrial uses surrounding the development site.

Section 6 looks at the mitigation measures and as the building is Grade II listed. In this case, table 4 recommends secondary glazing, giving a minimum specification to be installed.

At para 6.6, the report states the sound insulation of the façade relies on the windows remaining closed with ventilation provided by means of the attenuated vents (specified in section 6.5). During times when windows are open, internal noise levels will likely exceed the criteria of Section 4.2.1 which are the indoor ambient noise levels for dwellings as per BS8233.

Therefore, an alterative ventilation scheme would be preferred by Environmental Health Officers. However, as there are strict limitations on the extent of any works to the external facades of a listed building, a balance is needed between the need for purge ventilation and the constraints upon any works required to achieve it. As attenuated vents are recommended, it will allow for ventilation and it is only
purge ventilation which will allow the internal noise levels to be exceeded.

Therefore, the findings of the report are acceptable, however, condition 3 cannot be fully discharged until the works specified in the noise report have been completed.

Decision notice text
I refer to your above referenced discharge of condition application and can confirm the following –

Condition 3: Noise report
The applicant has submitted a Noise Impact Assessment authored by Philip Dunbavin Acoustics (PDA) dated 27 July 2021 (Ref J003453-5063-RDC-01), which has been assessed by Environmental Health Officers.

The report states ambient noise survey measurements were made between 1640hrs on Monday 19th July 2021 and 1150hrs on Tuesday 20th July 2021. Measurements were taken at a single location 1m from the façade of the site on Dowker Street and this is shown in figure 1. This is the worst-case façade with regard to noise exposure with the only significant noise source being road traffic on Dowker Street.

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for purge ventilation and the constraints upon any works required to achieve it. As attenuated vents are recommended, it will allow for ventilation and it is only purge ventilation which will allow the internal noise levels to be exceeded.

Therefore, the findings of the report are acceptable.

The condition will be satisfied provided the approved works are undertaken prior to the occupation of the two flats and its retention in accordance with this scheme thereafter.

Report Dated: 20th September 2021