

**Consultation Response from: KC Environmental Health (Pollution & Noise Control)**
**2021/93305 - 61-65 New Street, Huddersfield, HD1 2BQ**
**Change of use and conversion of existing buildings, erection of split-level seven storey extension comprising four-storey stairwell, five-storey roof-top tower block and enclosed courtyard to form 31dwellings and sub-division of the retail unit forming 61-63 New Street (Listed Building within a Conservation Area)**
**Responding Date:  
26 April 2023**
**Responding Officer:  
Mohammed Nasim**
**Responding Ref:  
WK202311369**
**Comments**
**Noise**

In our comments dated 12 April 2023, we asked for information on levels of noise from the use or from the collections of the commercial waste stored in Albert Yard which services the commercial units (The Albert, The Rock Café and Cask Ales). The applicant has submitted an Environmental Noise Survey, Noise Break-in Assessment & Sound Insulation Scheme authored by NOVA Acoustics dated 13 April 2023 Ref 7856SA v002. Reference is made in Section 2 to the commercial refuse area, the collection of which is assumed to be dominant when occurring.

BS4142 is used to assess the level of noise associated with the rear commercial refuse area and plant units. No exact operation hours of the refuse yard are available; therefore, the ambient sound level has been taken from the highest 1hr for daytime and the highest 15 min for night-time while the residual has been taken from the lowest 1hr and 15min data. Table 4 presents the calculated Specific Noise Levels for both the day and night-time periods. In addition, a rating penalty of 5dB has been applied to account for audible characteristics of the sound which may be deemed to cause increased annoyance - 3dB to account for the delivery noise emissions being intermittent and an additional 2dB applied to account for the slight tonality of both delivery and plant noise and this is reflected in table 5.

To fully protect the amenity of future occupants from commercial noise produced by the adjacent commercial properties, sound reduction of those façades deemed to be affected by the noise emissions has been specified considering the 63Hz octave frequency band in order to account for low frequency components of any commercial noise.

In order to correctly specify the required sound reduction, the façades have been divided into two colour groups: red and green and appropriate models of glazing and ventilation for each façade colour are shown in tables 6 to 8. Secondary glazing and double-glazing options have been given for both façades as it is thought the new extension to the building is likely to have double-glazing installed. This will need to be stated and the respective mitigation measures installed.

Due to the elevated noise levels, secondary ventilation is required and the report proceeds to recommend through wall ventilation and an acoustic specification is given in table 9 for a Greenwood's MA3051 unit to be installed in living rooms and bedrooms to both facades. Table 10.0 recommends the internal noise levels from mechanical ventilation and it is imperative that these limits are adhered to in order to ensure the internal requirements of BS8233 are

met and comment is made by the author to reflect this.

Section 6 of the report predicts the internal levels will meet with the internal requirements of BS8233 based upon the submitted information. This is applicable to both the red and green facades with double and secondary glazing, reflected in tables 12 to 14. There is a slight exceedance in the 63Hz band, which is exceeded by 3dB. However, this exceedance is deemed negligible and this is accepted. Reasonable assumptions for the façade and roof construction are made and a specification is given in Section 7 where rooms are within the roof space and this must be adhered to if there is to be any occupation within these areas.

Section 8 assesses the noise from the proposed commercial units both on the ground floor and in the adjacent buildings. These commercial units are currently vacant, and their intended use is not known. As assumption is made that they will be retail units which are not expected to generate high levels of noise but this will need to be clarified. To ensure the amenity of future residents is fully protected, it is recommended within the report that the separating floor achieves a minimum of 10.0 dB above the criteria shown in Part E of the Building Regulations. This means the floors and walls must score a minimum of 53dB  $D_{nT,w} + C_{tr}$  when tested for airborne sound attenuation and a specification for materials and construction is given. This figure is contrary to the West Yorkshire Planning Consultation Guidance document which requires the applicant to demonstrate that the airborne sound insulation performance of the party wall/ceiling of the development is of a minimum of 55dB  $D_{nT,w} + C_{tr}$  and whilst there is only a slight difference in levels, we would ask that the upper level is met.

Based upon assumptions for the construction, the report shows the current sound insulation will not meet with the required level and so a specification is given for the floor and wall construction to achieve the level of attenuation required. This may require revision based upon the slightly higher requirement referred to above.

The findings of the report are accepted and conditions to implement the proposals are recommended

### **Recommended Conditions**

#### **NC1 Implement Agreed Noise Mitigation Measures – Condition**

Before the development is first brought into use, all works which form part of the sound attenuation scheme as specified in the Environmental Noise Survey, Noise Break-in Assessment & Sound Insulation Scheme authored by NOVA Acoustics dated 13 April 2023 Ref 7856SA v002 –

- 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 protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

**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 floors, walls and ceilings of the development is of a minimum of  $55\text{dB } D_{nT,w} + C_{tr}$ . 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.

**Reason:** To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework