

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2021/93687 75, New North Road, Edgerton, Huddersfield, HD1 5ND		
Change of use from (D1) nursery to (F1) education and public worship or religious instruction, internal and external alterations, installation of rear disabled access ramp (Listed Building within a Conservation Area)		
Responding Date: 8 th March 2022	Responding Officer: Shirley Reynolds	Responding Ref: WK202203547
<u>Comments</u> We have reviewed the Noise Report by Howell Acoustics dated 25th January 2022 in support of the above application. The Report considered the effects of noise from activities inside the building on nearby sensitive receptors. In order to do this two noise monitoring points were established at the front and rear of the property and noise monitoring was undertaken during teaching at the premises, it was confirmed on 21st February 2022, that the classroom assessments were undertaken during the Christmas period when classes operated at the site. The Report concludes that the noise from the busy main road is the dominating factor but that was based on certain assumptions regarding numbers of people present in the building and no amplification being used at the site. The calculations used in the Report were based on the mitigation measures listed in point 7.0, which included improved sealing to glazing and secondary glazing, also the installation of secondary ventilation to ensure windows remain closed. A condition is necessary to ensure these mitigation measures are implemented and retained. A noise management Plan will be required to clarify the maximum occupancy of the building and that no sound amplification will be used throughout the building. The Report did not assess the possible loss of amenity to nearby sensitive receptors from noise outside the building where people may congregate or the noise and disturbance from people arriving and departing, especially given the extended hours of use listed in the application. A condition for a noise management plan and a condition restricting the hours of use are necessary to protect the amenity of nearby sensitive receptors. We would remind the Applicant that our earlier Response dated 14th October 2021, included recommended conditions regarding Electric Vehicle Charging Points and Unexpected Contamination, these Conditions remain in place and to avoid confusion are listed below. <u>Recommended Conditions</u> NC1 Implement Agreed Noise Mitigation Measures – Condition Before the development is first brought into use all works which form part of the mitigation measures as specified in the Noise Report dated 25th January 2022 produced by Howell Acoustics, Section 7.0 shall be completed, including clarification that no amplification will be used on site and written evidence shall be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure that the proposed use does not give rise to the loss of amenity to nearby residential properties, by reason of noise, 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.

NCMP Noise Management Plan – Condition

Before the application is brought into use, a noise management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail the control measures that will be taken to ensure that excessive noise does not arise from the students/parents and other attendees use of the proposed development and the actions that will be taken if site users at the proposed development fail to observe the required control measures. The Plan should clarify the maximum users of the site, these numbers should reflect those mentioned in the Noise Report dated 25th January 2022 produced by Howell Acoustics. To protect the amenity of nearby sensitive receptors, the approved noise management plan shall be implemented before use commences and retained thereafter.

Reason: To ensure that the proposed use does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, 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.

HUC1 Hours of Use Open for Customers - Condition

The use hereby permitted shall not be open to customers outside the hours of 7:00 to 22:00 daily

Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, 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.

EVC1 Electric Vehicle Charging Points - Condition

A scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of non-residential parking spaces

Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.

EVF1 Electric Vehicle Charging Points – Footnote

- A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof
- At non-residential developments, the requirement for one standard electric vehicle charging point for at least 10% of parking spaces may initially be reduced to one

charging point for at least 5% of parking spaces with the remainder provided at an agreed trigger point.

- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

CLC6 Reporting of Unexpected Contamination - Condition

In the event that contamination, or the presence of coal 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 by a suitably competent person 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 by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

- *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

