

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2022/93938 First and Second Floors, Shopping Precinct, New Street and Albion Street, Huddersfield, HD1 2TR
Change of use from A1 (business retail and storage) to C3 (residential) 34 studio flats at first and second floors and external alterations
**Date Responded:
13th January 2023**
**Responding Officer:
RM**
**Responding Ref:
WK/202241743**

We have reviewed the application and supporting information and make the following comments and recommendations.

Air Quality

The site of the proposed development is located within an Air Quality Management Area (AQMA 9) which encompasses Huddersfield Town Centre and was declared due to exceedances of the annual mean air quality objective for nitrogen dioxide (NO₂). Therefore, we are concerned that future residents will be exposed to poor levels of air quality. We also note that the first-floor apartments will be located next to an existing pay and display carpark adding to our concerns. 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.

Noise

The proposed development is adjacent to the busy Castlegate Junction (A62) and A616 within Huddersfield Town Centre. In addition, the proposed first and second floor apartments will be above existing retail/ commercial premises and adjacent to a first floor pay and display car park. We therefore have very strong concerns regarding noise from these sources affecting the amenity of future noise sensitive receptors. Therefore, it will be necessary for a noise impact assessment to be submitted to and approved in writing by the local planning authority prior to determination. The assessment must determine the existing noise climate and detail any necessary mitigation that will be required to achieve satisfactory sound levels both indoors and at any outdoor amenity areas. As there will be a party wall/floor/ ceiling between the commercial ground floor and residential first floor a higher level of sound insulation will be required.

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

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 brought into use & 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 LP20, LP24, LP47 of the Local Plan.

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 and commercial premises by a suitably competent person (see note) 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 the living rooms and any outdoor amenity area (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.

Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to future occupiers, by reason of noise or disturbance and 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.

NF4 Competent Person - Footnote

All noise assessments should be carried out by a competent person. The applicant 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.