

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/90793 - Technology House, Dyson Wood Way, Bradley, Huddersfield, HD2 1GN		
Change of Use from technical development/storage area with 2 storey office to Use Class F1 Learning and Non-Residential Institution		
Responding Date: 30 March 2023	Responding Officer: Mohammed Nasim	Responding Ref: WK202307671
<u>Comments</u> <u>Noise</u> The applicant has submitted a Noise Impact Assessment authored by SLR dated February 2023 Ref 403.000017.00002. It considers the impacts associated with the proposal and the creation of educational use at the Site. Reference is made to the previously approved application (2021/90714) at Salus House, Dyson Wood Way which has been viewed as similar in nature to existing F1 Class use development in the immediate area and this is accepted. A baseline noise survey was undertaken over weekday and weekend periods between Thursday the 15th and Monday the 19th of December 2022 from a single monitoring position as shown in figure 4.1. This was deemed to be appropriate to the nearest noise sensitive receptor (NSR) being 333 Bradley Road at 39m from the existing industrial building and 24m from the edge of the service yard, with an existing vegetation buffer between. A summary of the results is given in table 4.2 with the report finding the sound climate at the measurement location consisted mainly of constant road traffic movements including local traffic of the A6107 Bradley Road and distant traffic from major routes. While the development does not propose any modifications to any plant or equipment at the site, it identifies 3no. external condensers located immediately south of the loading area. Based upon reasonable sound power outputs for each unit, a BS4142 assessment was conducted, applying a +3dB correction for intermittency. Table 5.3 assesses a low impact, finding a -20dB excess rating over the background sound level and this is accepted. The report proceeds to consider the external area noise generation stating it has been understood that external areas of the scheme would be occasionally used by up to 10 No. children under adult supervision, during discrete periods of the day and for teaching and/or recreational activities. Modelling has been conducted based upon established guidance for normal voice, raised speech and shouting and figures 6.4 & 6.5 show the respective values at the nearest NSR. The figures show there should be no impact upon external amenity as per the requirements of BS8233 as for most of the time, significant masking would be provided by the existing road traffic noise. The internal acoustics and impact to the internal environment are not within the remit of Environmental Health. The findings of the report are accepted. Conditions are recommended for fixed mechanical plant noise and to control the hours of use in order to prevent the loss of amenity to neighbouring properties.		

Electric Vehicle Charging Points

It is unclear if the parking provision is to remain as per the original site plan as shown in the drawing from Wake Architects dated December 2009. In an application of this nature, it is expected that facilities for charging electric vehicles and other ultra-low emission vehicles are provided in accordance with the National Planning Policy Framework and *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group. A condition requiring charging points is therefore necessary.

Recommended Conditions

NC10 Noise from Fixed Plant & Equipment - Condition

The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

HUC4 Hours of Use Combined - Open for Employees/Pupils, Deliveries and Dispatches – Condition

The use hereby permitted shall not be open outside the hours of -

- 0700hrs to 1800hrs Monday to Friday
- and at no time on Saturday and Sunday

and there shall be no deliveries to, or dispatches from the premises outside these hours. No deliveries to, or dispatches from the premises shall take place on Bank Holidays.

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

Before the electrical system is installed, 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
- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) Fast (7-23kW) or Rapid (43kW+) charging points will 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 agreed dedicated facilities for charging electric vehicles are to be installed, maintained

and 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, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

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) Fast (7-23kW) or Rapid (43kW+) charging points will 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 and the installation must comply with all applicable electrical requirements in force at the time of installation.

CSC1 Construction Site Working Times - Condition

Noisy construction related activities shall not take place outside the hours of:

- 0800 to 18.00 hours Mondays to Fridays
- 08.00 to 13.00 hours, Saturdays
- With no noisy activities on Sundays or Public Holidays

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan

CSF1 Construction Sites working times – Footnote

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.