

Consultation Response from: KC Environmental Health (Pollution & Noise Control)

2023/91490 11 Chancery Lane, Huddersfield, HD1 2DT

Conversion of ground floor and alterations to basement to form two flats (Listed Building within a Conservation Area)

Responding Date:
14th June 2023

Responding Officer:
SR

Responding Ref:
WK202317050

Comments

We have reviewed application 2023/91490 and make the following comments and recommendations.

Noise

The proposed development is in the heart of Huddersfield Town Centre near to existing commercial premises, noise from which is likely to have an adverse impact on future occupiers of the site. It is therefore necessary for a condition requiring a noise impact assessment. The assessment should determine the existing noise climate taking all likely noise sources into consideration and then detail how this will affect the proposed development. It should also detail any noise mitigation measures that will be required so that satisfactory sound levels will be achieved both indoors and at any outdoor amenity areas at the development. If windows need to be kept closed to achieve satisfactory indoor sound levels, then the mitigation measures will also need to include specific details of the alternative ventilation that will be provided as a substitute to opening windows.

Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, for this reason a condition is necessary to limit the hours of operation for the site.

Recommended Conditions

NC9 Noise Assessment Report and Mitigation Scheme - Condition

Before construction work commences 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 commercial premises 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 living rooms, 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: 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.

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.

CSC1 Construction Site Working Times - Condition

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

07.30 to 18.30 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.