

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/92448 Former Cooper Bridge Water Treatment Works, Leeds Road, Mirfield, WF14 0BT		
Outline application for erection of B8 industrial unit		
Date Responded: 3 rd July 2024	Responding Officer: RM, MN	Responding Ref: WK/202418910
<p>Further to our previous comments of 11th September 2023 further information has been submitted in relation to Air Quality and Noise. We have reviewed the information and make the following comments and recommendations which are based on the outline application. These may be subject to change dependant on any future reserved matters application.</p> <p>Air Quality</p> <p>We acknowledge the Draft Technical Note 1 by Air Quality Assessments Ltd (ref: J0737/2/D1) (dated: 18th January 2024) in response to our previous comments and note that the applicant seeks approval for access as part of the outline application. Appearance, layout, landscaping and scale are matters to be determined in a reserved matters application. As this is fundamental to the Air Quality Assessment, we therefore recommend a condition for a detailed Air Quality Assessment to be submitted with any future reserved matters application.</p> <p>Noise</p> <p>In our comments dated 11 September 2023, we noted the submitted Noise Impact Assessment overlooked the properties at the Leeds Road/Cooper Bridge Road junction (Rose Cottage, 2 & 2A Leeds Road) which are immediately adjacent to the site and we therefore rejected the submitted information. The applicant has submitted a Noise Impact Assessment (NIA) by Nova Acoustics dated 21 January 2024 Ref NP-009176 which now considers these Noise Sensitive Receptors (NSRs) as shown in figure 2.</p> <p>Reasonable assumptions have been made regarding the typical construction and materials of the units as stated in para 3.1 due to the uncertainty with a caveat that further analysis will need to be undertaken if the roller shutters do not meet with the specification given for the KS1000 wall panels. Para 3.2 details the use of the unit with HGV movements and deliveries/collections being modelled based upon 9 of the 27 proposed docking doors in use at any one time.</p> <p>Based upon the existing noise survey which was undertaken between 07 March 2023 and 09 March 2023 from one measurement position as shown in figure 2, modelling of the proposed use has been conducted as shown in figure 5 (daytime) and figure 6 (nighttime). A BS4142 assessment has been conducted with a +6dB correction applied for just perceptible impulsivity & intermittency of operations and this shows a low impact for the NSRs to Huddersfield Road for both daytime (table 3) and nighttime (table 4). However, for the NSRs at Rose Cottage and 2 & 2A Leeds Road, table 5 shows no exceedance for daytime but a +5dB exceedance for nighttime, indicating an adverse impact. In mitigation, a 3m high acoustic barrier is proposed as shown in figure 7 with a minimum specification and construction methodology. There is also a recommendation that the western façade of the building (facing NSR2) should be upgraded and again, a minimum specification is given. The resultant BS4142 assessment shows a -3dB exceedance for daytime indicating a low impact but a +1dB exceedance for nighttime indicating a low likelihood of adverse impact. It is recognised</p>		

that +1dB is not deemed perceptible and so acceptable.

The report proceeds to consider any external fixed mechanical plant which may be required in the future and as this is currently unknown, plant noise limits have been given in table 9 for both daytime and nighttime to ensure there is no loss of amenity to the nearest NSRs.

The findings of the submitted report are accepted. Conditions are recommended to ensure the construction and mitigation measures are implemented along with a compliance condition for any fixed mechanical plant.

Recommendations

AQIAC1 Air Quality Impact Assessment – Impact of new development on the area-Condition

With any reserved matters application relating to scale and layout of the proposed development a detailed Air Quality Impact Assessment must be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

- determine the impact that the development will have on air quality (taking into consideration any cumulative impact from other local developments)
- include a calculation of the monetary damages from the development and
- include a fully costed mitigation plan detailing the proposed low emission mitigation measures. The monetary value of the damages should be reflected in money spent on the low emission mitigation measures

The approved low emission 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

AQIAF1 Air Quality Impact Assessment - Footnote

For low emission mitigation measures to be considered as acceptable, measures must be proposed above what is normally provided at a development. For example, the costs of providing footpaths and standard electric vehicle charging points would not be accepted as part of the costed mitigation measures. For further information refer to the West Yorkshire Low Emission Group document [Air Quality and Emissions - Technical Planning Guidance which is part of the West Yorkshire Low Emissions Strategy 2016-2021](#).

In the absence of acceptable proposals for Low Emission Mitigation Measures of sufficient value, a section 106 agreement may be required for the amount up to the estimated damage cost made available to the local authority to spend on air quality improvement projects within the locality.

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 Noise Impact Assessment (NIA) by Nova Acoustics dated 21 January 2024 Ref NP-009176 shall be completed. Any changes to the approved noise mitigation measures must be submitted to and approved in writing by the Local Planning Authority.

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.

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.