

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2023/92692 Britannia Buildings, St Peter's Street, Huddersfield, HD1 1EX
Alterations to convert redundant basement to hotel rooms (Listed Building within a Conservation Area)
Responding Date:
 17th October 2023

Responding Officer:
 SR

Responding Ref:
 WK202331605

Comments

We have reviewed application 2023/92692 and make the following comments and recommendations.

Air Quality and Odour – Pre determination information required

The proposed development is within an air quality management area (AQMA) and has food businesses in close proximity. Therefore, before the application is determined we will require specific details in regard to the source of the fresh air inlet for any ventilation system to rooms at basement level. The inlet should be identified on a plan in relation to the road network and any extract ventilation systems.

This information is required to ensure future occupants are not exposed to poor air quality or cooking odours.

Noise

The proposed development is in the heart of Huddersfield Town Centre sharing party structures with and near to existing commercial premises, noise from which are likely to have an adverse impact on future occupiers of the site. Details of adequate sound insulation in any party structures will be required to ensure no loss of amenity to future occupiers.

It is therefore necessary for a condition requiring a noise impact assessment and a condition in relation to party structures.

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 bedrooms (night-time)
- 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.

NC6 For use where proposed commercial and residential share a party structure (floor / ceiling or wall etc) – Condition

Before the development is brought into use written evidence to demonstrate that the airborne sound insulation performance of the party walls/ceiling of the development is of a minimum of 55 dB Dntw + Ctr shall be submitted to and approved in writing by the Local Planning Authority. If it cannot be demonstrated that the aforementioned airborne sound insulation performance has been achieved, a scheme incorporating further measures to achieve the sound insulation performance shall be submitted to and approved in writing by the Local Planning Authority. All works comprised within those further measures shall be completed and further written evidence to demonstrate that the aforementioned sound insulation performance level has been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

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

No construction related noise shall be audible beyond the site boundary outside the hours of:
07.30 to 18.30 hours Mondays to Fridays
08.00 to 13.00 hours, Saturdays

With no construction related noise audible beyond the site boundary 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.

