

**Consultation Response from: KC Environmental Health (Pollution & Noise Control)**
**2023/93113 - 30 Market Street, Huddersfield, HD1 2HG**
**Change of use and alterations to form student living accommodation with ancillary concierge and communal facilities including roof extension and roof terrace**
**Responding Date:  
26 June 2024**
**Responding Officer:  
Mohammed Nasim**
**Responding Ref:  
WK202419671**
**Comments**
**Noise**

In our comments dated 06 February 2024, we noted there was no reference to the ground floor use and the potential impact upon the amenity of the occupiers of the first floor. The applicant has submitted a Noise Impact Assessment authored by Philip Dunbavin Acoustics Ltd dated May 2024 Ref J004669-7414-DH-02 which at Section 7, considers this aspect.

Based upon worst case scenario of a licensed bar/pub use on the ground floor, para 7.2 states the current construction is unlikely to meet with our requirement and a recommendation is made, with a specification given, for an upgrade which is predicted to exceed this requirement. The applicant is advised that whilst comment has been made to require +10dB above Building Regulations i.e. 53dB  $D_{ntw} + C_{tr}$ , this is increased to 55dB  $D_{ntw} + C_{tr}$  in accordance with para 4.5 of the West Yorkshire Noise & Vibration Guidance document which refers to Noise from Adjacent Entertainment Premises. Comment is made on maximum levels of noise from the ground floor use and it is imperative that this is adhered to in order to ensure there is no loss of amenity to the occupiers on the first floor.

Although the authors have not been informed of any new potential external plant to the development, para 7.30 gives upper limits for any installed fixed mechanical plant and this is welcomed.

The findings of the submitted report are accepted. Conditions are recommended to ensure the works proposed are implemented and retained thereafter. All other non-noise conditions remain as per our response dated 06 February 2024.

**Recommended Conditions**
**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 authored by Philip Dunbavin Acoustics Ltd dated May 2024 Ref J004669-7414-DH-02 -

- a) shall be completed; and
- b) written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved, then a further scheme shall be submitted for approval of the Local Planning Authority incorporating further measures to achieve those noise levels.

All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have 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.

**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, the developer shall provide written evidence to the Local Planning Authority to demonstrate that the airborne sound insulation performance of the party floors/walls/ceiling of the development is of a minimum of 55dB  $D_{ntw} + C_{tr}$ . 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 for the written approval of the Local Planning Authority. All works comprised within those further measures shall be completed and 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.