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| <b>Consultation Response from: KC Environmental Health (Pollution &amp; Noise Control)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                         |                                               |
| <b>2023/93296 75a, North Road, Kirkburton, Huddersfield, HD8 0QE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                         |                                               |
| <b>Conversion and alterations of existing office into living accommodation (within a Conservation Area)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                         |                                               |
| <b>Date Responded:</b><br><b>28<sup>th</sup> November 2023</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Responding Officer:</b><br><b>RM</b> | <b>Responding Ref:</b><br><b>WK/202336063</b> |
| <p>We have reviewed the application and supporting information and make the following comments and recommendations.</p> <p><b>Noise</b><br/>The application seeks permission to convert an existing first floor office into living accommodation. There is an existing hairdressers and beauty salon on the ground floor noise from which may have an adverse impact on future residents. Therefore, it is necessary for a condition requiring a noise impact assessment. The assessment should determine the existing noise climate taking all likely noise sources, including any external fixed plant 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.</p> <p><b>Loss of amenity caused by the construction of the development</b><br/>There is a potential for loss of amenity to the occupiers of nearby properties from noise and vibration from the construction phase of the development. Therefore, it is necessary for a condition restricting the times when noisy construction activities (including deliveries) will be permitted.</p> <p><b><u>Recommended Conditions</u></b></p> <p><b>NF4 Competent Person - Footnote</b><br/>All noise assessments should be carried out by a competent person. The applicant may wish to contact the Association of Noise Consultants <a href="http://www.association-of-noise-consultants.co.uk/">http://www.association-of-noise-consultants.co.uk/</a> (020 8253 4518) or the Institute of Acoustics <a href="http://www.ioa.org.uk">http://www.ioa.org.uk</a> (0300 999 9675) for a list of members.</p> <p><b>NC9 Noise Assessment Report and Mitigation Scheme - Condition</b><br/>Before 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 road traffic and any commercial premises shall be submitted to and approved in writing by the Local Planning Authority.<br/>The report shall:</p> <ol style="list-style-type: none"> <li>Determine the existing noise climate</li> <li>Predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time) and other habitable rooms of the development</li> <li>Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).</li> </ol> <p>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.</p> <p><b>Reason:</b> To protect the amenity of occupiers of the proposed development from noise or</p> |                                         |                                               |

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 residential shares a party structure (floor / ceiling or wall etc) with existing commercial – Condition**

Before the development is brought into use written evidence to demonstrate that the airborne sound insulation performance of the party floors 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.

**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.