

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2024/90076 11, Foundry Street, Dewsbury, WF13 1QH		
Alterations to first and second floor salon/office to form 2 flats (within a Conservation Area)		
Date Responded: 19 th February 2024	Responding Officer: RM	Responding Ref: WK/202403513
<p>Noise The application is for a change of use from offices/hairdressers to 2no. one bed apartments on the first and second floors. We note from the supporting information that the ground floor is to remain as commercial usage. Therefore, we recommend a condition relating to the sound insulation performance of the shared party walls between commercial and residential usage.</p> <p>Loss of amenity caused by the construction of the development There is a potential for loss of amenity to the occupiers of nearby properties from noise due to the proposed works. Therefore, we recommend a condition restricting the times when noisy construction activities (including deliveries) will be permitted.</p> <p>Recommendations 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 floors/walls of the development is of a minimum of 55dB $D_{nTw} + C_{tr}$ 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.</p> <p>CSC1 Construction Site Working Times - Condition No construction related noise shall be audible beyond the site boundary outside the hours of:</p> <ul style="list-style-type: none"> • 07.30 to 18.30 hours Mondays to Fridays • 08.00 to 13.00 hours Saturdays <p>With no construction related noise audible beyond the site boundary on Sundays or Bank/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</p> <p>CSF1 Construction Sites working times – Footnote Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control</p>		

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.