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| Consultation Response from: KC Environmental Health (Pollution & Noise Control) | | |
| 2024/90187 - Former Moldgreen Top Club, 15, Church Street, Moldgreen, Huddersfield, HD5 9DL | | |
| Change of use of ground floor from licensed premises to offices | | |
| Responding Date: 21 March 2024 | Responding Officer: Mohammed Nasim | Responding Ref: WK202406680 |
| <p><u>Comments</u></p> <p><u>Noise</u> The proposal is to refurbish the existing living accommodation to the first floor and convert the former licensed area at the ground floor into offices. We would expect a higher level of sound insulation where residential and commercial premises share a party wall/floor/ceiling and a condition is recommended in order to protect the amenity of future occupiers.</p> <p><u>Electric Vehicle Charging Points (EVCPs)</u> In an application of this nature, it is expected that facilities for charging electric vehicles and other ultra-low emission vehicles are provided in accordance with the National Planning Policy Framework and <i>Air Quality & Emissions Technical Planning Guidance</i> from the West Yorkshire Low Emissions Strategy Group. A condition requiring charging points is therefore necessary.</p> <p><u>Construction</u> The hours of construction will need to be controlled in order to protect the amenity of the neighbouring properties.</p> <p><u>Recommended Conditions</u></p> <p>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/ceiling of the development is of a minimum of 55dB $D_{nT,w} + C_{tr}$ 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.</p> <p>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>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-</p> | | |

consultants.co.uk/ (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members.

EVC1 Electric Vehicle Charging Points – Condition

Before first occupation, a scheme outlining the specific facilities for charging electric vehicles and other ultra-low emission vehicles for 10% of the total parking spaces at the premises must be submitted to and approved in writing by the Local Planning Authority. This scheme must meet the minimum requirements in the current West Yorkshire Low Emission Strategy (WYLES) document. The approved facilities for charging electric vehicles must be installed before occupation and retained for use thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

EVF1 Electric Vehicle Charging Points – Footnote

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.
- The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information.

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 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

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.