

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2024/91814 - Land off Soureby Cross Way, Birkenshaw, BD4 6PZ		
Change of use of land from equestrian use to dog exercise area and associated works		
Responding Date: 22 July 2024	Responding Officer: Mohammed Nasim	Responding Ref: WK202422243
<p><u>Comments</u> This is a retrospective planning application which seeks the change of the use of land from equestrian use to a dog exercise area together with associated works.</p> <p><u>Noise</u> The applicant has submitted a Noise Impact Assessment authored by Clover Acoustics dated 18 June 2024 Ref 4950-1. A background noise survey was conducted on 04 June 2024 from a single monitoring position as shown on figure 1. A log of the days usage was provided by the applicant. A summary of the findings is given in the table within section 7 along with the raw data. The histography shows L_{max} levels which would be typical of dog barking but no context is given to support this.</p> <p>The report states that there are limitations in the use of any particular standard for this type of noise and it is not possible to determine exactly the impact of the proposal on the amenity of neighbouring properties. The report states the site has been in operation for up to 3 years without complaint and this is reflected in our records.</p> <p>The report states it would be good practice to ensure a sensitive noise management policy is in place and so a condition is recommended for the submission of a Noise Management Plan which should state the measures to be taken to ensure there is no loss of amenity to any of the neighbouring properties from noise.</p> <p><u>Hours of Use</u> The proposed hours of use are 0800hrs to 1800hrs 7 days a week and a condition is recommended to secure these hours in the interests of protecting amenity</p> <p><u>External Artificial Lighting</u> The installation or use of any external artificial lighting shall not be permitted and a condition is recommended to secure this in the interests of protecting amenity.</p> <p><u>Associated Works</u> It is unclear what the applicant means by associated works and therefore no comment is offered.</p> <p><u>Recommended Conditions</u> DW1 Dog Noise Mitigation Scheme – Condition Before the development is brought into use, a Noise Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the maximum number of dogs at any time and the reasonable steps to mitigate noise. The</p>		

approved scheme shall be implemented before the development is brought into use and retained thereafter.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

HUC1 Hours of Use - Condition

The use hereby permitted shall be between 0800hrs to 1800hrs, Monday to Sunday.

Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, 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.

LC4 Artificial Lighting Not Permitted - Condition

This permission does not authorise the installation or use of any external artificial lighting.

Reason: For the avoidance of doubt as to what is being permitted and to safeguard the amenities of the occupiers of nearby properties in accordance with and Chapter 15 of the National Planning Policy Framework.