

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2024/92105 - Wesley House, Huddersfield Road, Birstall, Batley, WF17 9AZ
Alterations to convert former offices to 21 apartments (Listed Building within a Conservation Area)
Responding Date:
19 September 2024

Responding Officer:
Mohammed Nasim

Responding Ref:
WK202425967

Comments
Noise

The development sits aside the A62 and consideration has to be given to the impact of road traffic noise on the occupiers of the proposal. There is also a school and a church in the immediate vicinity and a condition is recommended for the submission of a noise assessment to consider these sources to ensure there is no loss of amenity to future occupiers.

Air Quality

The development sits aside the A62 which is a road of concern and consideration has to be given to the impact of poor air quality on the occupiers of the proposal. A condition is recommended for the submission of an Air Quality Impact Assessment.

Electric Vehicle Charging Points (EVCPs)

Drawing no. KL/24/1709/01 from PN Bakes dated July 2024 shows 4no. EVCPs. 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 *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group. An advisory relating to charging points is therefore necessary.

Construction

The hours of construction will need to be controlled in order to protect the amenity of neighbouring occupiers. A condition is therefore recommended.

Recommended Conditions
NC9 Noise Assessment Report and Mitigation Scheme - Condition

Before construction 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 (e.g. road traffic/commercial premises etc.) shall be submitted to and approved in writing by the Local Planning Authority. The report shall:

- a) Determine the existing noise climate
- b) Predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time) and other habitable rooms of the development
- c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

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.

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.

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

AQIAC2 Air Quality Impact Assessment – New receptors in area of poor AQ – Condition

Before the development is brought into use, a full Air Quality Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall determine the impact that the poor air quality in the area will have on the future occupiers of the proposed development and provide details of the required mitigation measures that will be provided to address any such adverse impact. The approved mitigation measures shall be implemented before occupation & retained thereafter.

Reason: For promoting sustainable development and transport and conserving the natural environment in accordance with parts 2, 9 & 15 of the NPPF and LP20, LP24, LP47 of the Local Plan

EVF1 Electric Vehicle Charging Points – Advisory Footnote

- Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.
- 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.
- To futureproof the development, we would encourage the applicant to provide these in accordance with the current *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy (WYLES) Group

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.