Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2024/92298 - 3-5 Westgate, WF16 0HE		
Prior notification for change of use from commercial/business/service to two flats		
Responding Date: **01 October 2024**	**Responding Officer:** **Mohammed Nasim**	**Responding Ref:** **WK202429279**

Comments

The submitted Design & Access Statement from Hamond Projects states the proposal is to convert the existing first floor into a two-bedroom flat and basement into a one-bed flat with the ground floor retail unit retained.

Consideration has to be given to noise from road traffic and the bus station affecting the amenity of the proposed occupiers. Further consideration has to be given to the transmission of noise from the ground floor use and the requirement for a higher level of sound insulation where residential and commercial uses share a party wall/floor/ceiling.

Conditions are recommended for the submission of noise assessments to consider all aspects of noise.

Recommended Conditions

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 including 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, 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.

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 53dB $D_{nTw} + C_{tr}$ 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.

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.