

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2024/92323 - The Co Operative Food, 6 Peel Street, Marsden, Huddersfield, HD7 6BR		
Installation of plant with ventilation and key klamp protection in rear yard (within a Conservation Area)		
Responding Date: 23 September 2024	Responding Officer: Mohammed Nasim	Responding Ref: WK202427884
<u>Comments</u> The proposal is to replace the existing mechanical plant with new plant as specified in Appendix D of the submitted Plant Noise Impact Assessment authored by NSL dated 23 April 2024 Ref 88479/NIA/Rev1. Section 3 identifies the nearest noise sensitive receptors (NSRs) as the residential house at 2 Argyle Street (NSR1) to the north west of the store, approximately 3m from the proposed plant and with a direct line of sight and Market Place (NSR2) to the south of the store, approximately 10m from the proposed plant and with a direct line of sight as shown in Appendix B. A background noise survey was undertaken between 1500hrs on Wednesday the 14th February and 0945hrs on Thursday the 15th of February 2024 and a summary of the results is given in table 1. Based upon the 5dB below background requirement, the cumulative plant rating level at the NSRs façade is given in table 5. A BS4142 assessment has been conducted after applying a +3dB correction and table 7 shows there to be a low impact to both identified NSRs. The findings of the report are accepted. A compliance condition is recommended to ensure there is no increase to the measured background levels following the installation. <u>Construction/Installation</u> A condition is recommended to control the hours of the installation in order to protect the amenity of neighbouring properties. <u>Recommended Conditions</u> NC10 Noise from Fixed Plant & Equipment - Condition The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019. 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. 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.