

Consultation Response from: KC Environmental Health (Pollution & Noise Control)

2024/92938 - 1st, 2nd and 3rd Floors, 1 Lord Street, Huddersfield, HD1 1QA

Prior notification for change of use from Class E (commercial/business/service) to 9 residential apartments (within a Conservation Area)

**Responding Date:
07 November 2024**

**Responding Officer:
Mohammed Nasim**

**Responding Ref:
WK202433290**

Comments

Noise

The applicant has submitted an Environmental Noise Survey authored by soundtesting dated 23 January 2018 ref 10104E Rev 1. It considers the external sources of noise but fails to consider the commercial use of the ground floor with particular reference to the transmission of noise. The applicant is hereby informed that a higher level of sound insulation is required where commercial and residential uses share a party wall/floor/ceiling. Our requirement is a minimum of 10dB above Buildings Regulations i.e. 53dB $D_{nTw} + C_{tr}$. We note the report is coming up to seven years old and recommend the submission of an up to date Noise Assessment to consider all sources of noise.

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 including road traffic and commercial premises 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 (daytime), bedrooms (nighttime) 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.