

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2024/93345 - 1 Morley Lane, Milnsbridge, Huddersfield, HD3 4NR		
Alterations to ground floor to form 2 apartments (within a Conservation Area)		
Responding Date: 19 December 2024	Responding Officer: Mohammed Nasim	Responding Ref: WK202438989
<u>Comments</u> The applicant has submitted a Noise Impact Assessment authored by JPM Acoustics dated November 2024 Ref 1412024. The site location is given in figure 1.1 and comment is made about the adjoining retail premises. Para 1.2.3 states the proposal is for two residential apartments at ground floor level and lower ground floor level, with two apartments at first floor level to be retained, and a retail space to be retained on the ground floor. A baseline noise survey was undertaken from 2 measurement locations between 23rd September 2024 and the 25th of September 2024 and a summary of the results is given in tables 3.2 and 3.3. Para 4.1.4 states that the internal requirements of BS8233 for both daytime and nighttime can be met with the existing building envelope. The author states a Mechanical Ventilation Heat Recovery (MVHR) system is to be installed within each apartment and it is imperative that this installation does not increase the internal noise levels. There is no external amenity area. This aspect of the report is accepted. The report mentions a neighbouring retail unit and this is reflected in figure 1.2. There is also a retail unit on Morley Lane and noise from these uses has not been considered in the assessment. Kirklees requires a higher level of sound insulation where residential and commercial uses share a party wall/floor and a condition is recommended for a further/addendum report to be submitted to consider this. <u>Recommended Conditions</u> 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. retail/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 (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. 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 the developer shall provide written evidence to the Local Planning Authority to demonstrate that the airborne sound insulation performance of the party floors/walls/ceiling of the development is of a minimum of 53dB $D_{ntw} + C_{tr}$. 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 for the written approval of the Local Planning Authority. All works comprised within those further measures shall be completed and 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.