

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

**2025/93018 - Penistone Road/Rowley Lane, Fenay Bridge, Huddersfield, HD8 0JS**

**Discharge of details reserved by condition 7 (Noise Impact Assessment) on previous permission 2024/90058 for reserved Matters application, including the considerations of appearance, scale, layout, and landscaping, for erection of 67 dwellings, pursuant to outline permission 2020/92307 for erection of residential development (up to 75 units) and discharge of outline conditions 7 (archaeology), 8 (foul and surface water drainage strategy), 9 (flood routing), 10 (mitigatory tree planting), 11 (cycle parking), 12 (arboricultural assessment), 13 (Ecological Design Strategy), 14 (Ecological Impact Assessment), 15 (noise impact assessment)**

**Responding Date:  
01 December 2025**

**Responding Officer:  
Mohammed Nasim**

**Responding Ref:  
WK202534619**

**Comments**

**Condition 7 (Noise Impact Assessment)**

A Noise Impact Assessment authored by Miller Goodall has been submitted dated 21 October 2025 Ref NA10284-5. Environmental sound monitoring was undertaken at two positions at the site as shown in Appendix B with unattended measurements undertaken between approximately 1345hrs on Thursday the 3<sup>rd</sup> of July 2025 and 1015hrs on Tuesday the 8<sup>th</sup> of July 2025 adjacent to Reliance Precision Limited (RPL) (MP1). Attended measurements were undertaken between approximately 1220hrs and 1520hrs on the 8<sup>th</sup> of September 2025 close to Penistone Road (MP2). Comment is made that the sound climate at MP1 consisted primarily of road traffic noise on Penistone Road, with some low-frequency plant noise audible from the RPL building and some bird noise. Noise from road traffic on Penistone Road dominated the noise climate at MP2. A summary of the findings is given in tables 3 (unattended MP1) & 4 (attended MP2). The  $L_{A10}$  values have been converted into  $L_{Aeq,16hr(daytime)}$  and  $L_{Aeq,8hr(nighttime)}$  as shown in table 5.

Based upon the measured and calculated values, noise modelling has been conducted with the author using the data from the previously submitted Blue Tree Acoustics (BTA) report dated 11 December 2024 Ref 03780-730102 to determine the impact from the RPL site. Reasonable assumptions have been made on construction, timings and operations (as shown in table 7) to facilitate the modelling. Para 8.4.1 shows 5no. scenarios for the modelling as follows -

- daytime  $L_{Aeq,16hr}$  noise levels affecting the site at 1.5 m (building façade levels)
- daytime  $L_{Aeq,16hr}$  noise levels affecting the site at 1.5 m (external amenity areas)
- daytime  $L_{Aeq,16hr}$  noise levels affecting the site at 4.0 m
- night-time  $L_{Aeq,8hr}$  noise levels at 4.0 m
- night-time  $L_{AF,max}$  noise levels at 4.0 m

This is reflected in the colour coded models in Appendix E which indicates which plots will require mitigation in order to meet with the internal and external requirements of BS8233 for both daytime and nighttime and consequently, the requirements of the condition.

A BS4142 assessment has been conducted based upon the impact from RPL on both an

existing noise sensitive receptor (NSR) and the most affected location within the development as shown in Appendix C. The assessment shows no impact is predicted to the existing NSR. However, a daytime impact of +3dB is predicted to NSR2a and a nighttime impact of +2dB is predicted to NSR2 within the new development. This is based upon a +6dB correction being applied for impulsivity for the daytime period only with an example of banging sounds from loading being given which would not be expected during nighttime periods. As such, it is deemed to be a worst case scenario as actual noise levels are likely to be lower than those modelled.

Mitigation in the form of glazing is proposed to counter the effects primarily of road traffic noise which is deemed to be significantly louder than noise due to operations at RPL and a specification is given in table 13. Externally, fencing/barriers are proposed with a minimum mass of 12kg/m<sup>2</sup> and a plan is given in Appendix F showing the location and recommended heights.

The findings of the submitted information are accepted.

### **Recommendations**

#### **Condition 7 (Noise Impact Assessment)**

The submitted information is accepted. However, this is a compliance condition and cannot be discharged as all of the mitigation measures within the submitted Noise Impact Assessment authored by Miller Goodall dated 21 October 2025 Ref NA10284-5 will have to be implemented and retained thereafter.

#### **DoC of Condition 7 – 2024/90058**

7. Prior to works above foundation level commencing, notwithstanding the submitted information, a Noise Impact Assessment report shall be submitted to and approved in writing by the Local Planning Authority. The Noise Impact Assessment demonstrate how each dwelling hereby approved shall adhere to BS8233 regarding sound insulation and noise reduction. The report shall:

- a) Clearly show which habitable rooms in which plots will not achieve satisfactory indoor sound levels with windows open (35dB daytime / 30dB nighttime) and for these rooms provide a detailed specification of the noise mitigation measures that are necessary to achieve satisfactory indoor sound levels, including (but not necessarily limited to) the potential use of acoustic barriers an alternative ventilation scheme, where required.
- b) Clearly show which external amenity areas at which plots will have daytime noise levels that exceed 50dB LAeq,16hour and for these plots provide a detailed specification for the additional noise mitigation measures that are required so that the outdoor noise levels at these plots does not exceed 50dB LAeq,16hour.

All works which form part of the approved scheme shall be completed prior to occupation of the aforementioned plots and retained thereafter.

**Reason:** In the interest of protecting the amenity of future occupiers through mitigating the impacts of noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.

### Reliance Suggestion

*Prior to works above foundation level commencing, notwithstanding the submitted information, a Noise Impact Assessment (NIA) shall be submitted to and approved in writing by the Local Planning Authority. The Noise Impact Assessment shall demonstrate how each dwelling hereby approved shall adhere to the indoor ambient noise levels for dwellings set out in Table 4 of BS8233:2014 regarding sound insulation and noise reduction, having regard to the theoretical potential maximum operational impacts of local businesses, as set out in Blue Tree Acoustics Report "Indicative Sound Assessment Report" document ref.03780-730102 dated 11 December 2024. The NIA shall:*

*a) Clearly assess and demonstrate which habitable rooms in which plots will not achieve satisfactory indoor sound levels with windows open (such levels are defined as 35dB LAeq,1hour in living rooms and bedrooms (between 0700 and 2300 hours); 40dB LAeq,1hour in dining rooms (between 0700 and 2300 hours); 30dB LAeq,15min and 45dB LMax,F in bedrooms (between 2300 and 0700 hours)). For any rooms where the defined satisfactory indoor sound levels are not achieved, the NIA must provide a detailed specification of the noise mitigation measures that are necessary on the application site to be installed and retained thereafter to achieve the defined satisfactory indoor sound levels. This may include (but is not necessarily limited to) (i) suitable acoustically specified glazing; (ii) sealed windows with appropriate ventilation provisions (mechanical or purge) to avoid overheating; and/or (iii) the potential use of a suitably designed acoustic barrier(s) installed at a position and height to be agreed with the Local Planning Authority; to meet the defined sound levels;*

*b) Clearly assess and demonstrate which external amenity areas at which plots will have sound levels that exceed 50dB LAeq,1hour (between 0700 and 2300). For any external amenity areas which fail to achieve this defined sound level, the NIA must provide a detailed specification for the additional noise mitigation measures that are required to be installed and retained on the application site thereafter, so that the external amenity noise levels at these plots does not exceed the specified sound level limit;*

*c) Set out a scheme to notify the future residents of the application site of (i) the relevant defined noise limits, and (ii) the need to maintain, replace or replicate the specified and approved noise mitigation on their property (windows, ventilation systems and any barriers) to the same specification provided, in perpetuity.*

*All mitigation works which form part of the approved NIA shall be completed prior to the first occupation of the approved development and maintained and retained in perpetuity thereafter.*

*For the avoidance of doubt, and notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), including any subsequent or replacement legislation providing the same rights to residents; Permitted Development rights which alter or remove the specified and approved mitigation measures set out in the approved NIA are hereby removed. Any works to alter or remove the specified and approved noise mitigation shall not be undertaken without express planning consent from the Local Planning Authority. Any such approval shall include replacement mitigation measures with equivalent attenuation benefits being installed, unless it can be demonstrated that this is not required with reference to the potential future sound levels referenced in Blue Tree Acoustics Report "Indicative Sound Assessment Report" document ref.03780-730102 dated 11 December 2024 .*

**Reason:** *In the interest of protecting the amenity of future occupiers through mitigating the*

*impacts of noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan*