

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

2025/93526 - first floor, 2, Bridge Street, Batley, WF17 5NU

Alterations to convert first floor to 4 flats

Responding Date:
Friday, 29 May 2026

Responding Officer:
HK

Responding Ref:
WK202612476

COMMENTS

Noise

The proposed development site is located to the rear of a BP petrol station and grocery retail store, separating the site from the busy Bradford Road, fronting onto Bridge Street in a mixed use residential/commercial area. A railway line is nearly 300m to the west to the rear separated by mixed use development. The site will experience transportation and commercial noise associated with its location. Of note, a Jet Car wash facility is located at the BP petrol station 20m from the proposed developments façade.



The applicant has submitted a Noise Impact Assessment, Ref: NIA-12454-26-12732-v2, dated 23rd March 2026, prepared by Environmental Noise Solutions in support of the application.

The report undertook a 24hr environmental noise survey on the 10/11th March 2026 and identified that *“the site is characterised by road traffic on Bridge Street and Bradford Road. No significant noise associated with the nearby commercial units were noted”*.

The report notes that the proposal is to *“change of use of ground and first floor to create a total of 8 no. 1 bedroom apartments”*. The report confirmed the following environmental noise levels:

Noise levels overlooking Bridge Street (east and north elevations) are as follows;

- ≤ **57 dB** L_{Aeq} (0700-2300) during the daytime
- ≤ **49 dB** L_{Aeq} (2300-0700) during the night-time
- ≤ **71 dB** L_{AFMax} during the night-time

Noise levels overlooking Bradford Road (southern elevation) are as follows;

- ≤ **58 dB** L_{Aeq} (0700-2300) during the daytime
- ≤ **52 dB** L_{Aeq} (2300-0700) during the night-time
- ≤ **71 dB** L_{AFMax} during the night-time

The report then calculated the sound insulation requirements of the building envelope for habitable rooms throughout the development in order to provide acceptable internal noise levels, identifying that:

“Habitable rooms throughout the site should be provided with standard glazing rated at least 25 dB R_{w+Ctr} , such as 4 mm glass / 6-20 mm cavity / 4 mm glass, in conjunction with acoustic wall vents rated at least 41 dB $D_{n,e,w+Ctr}$, such as the Ryton AAC125HP (1no. per habitable room) as part of the MEV system”.

Noting that:

“It is understood that the development is to be provided with a decentralised mechanical extract ventilation (dMEV) system using continuously running kitchen/bathroom extracts on a ‘trickle’ rate in conjunction trickle vents/through-wall vents in habitable rooms”.

The applicant will need to ensure that the glazing and acoustic trickle vents /through-wall vents meet these minimum sound reduction performances.

The submitted noise assessment is satisfactory for the purposes of identifying the necessary noise mitigation measures from the continuous road traffic noise source. However, due to the proximity of the site to the nearby Jet wash facility, there is a potential for noise impacts associated with use of the Jet wash facility. A BS4142:2019 noise assessment will also be necessary to confirm if additional noise mitigation measures are necessary to protect future occupants from all nearby commercial noise sources. For example, the Jet wash facility and any plant noise associated with the nearby Spar store, and any other commercial sources.

Furthermore, this application is for the alteration of the first floor – and it is not clear from the submitted information what the ground floor use is, and therefore, it is recommended that increased sound insulation is provided to ensure that noise from any commercial use at ground floor level does not impact future occupants.

Contaminated Land

This site has been identified on our mapping system as potentially contaminated land due to its proximity to the petrol station, Victoria Iron Foundry (historic) and within 250m of a historical land fill. Contaminated land conditions are therefore necessary (should any land excavation be required during the re-development).

Lighting

Artificial lighting increases local lighting levels and has the potential to impacting biodiversity and the amenity of nearby residential receptors. Any external lighting should be properly

designed and installed to avoid any adverse impacts on residential neighbours from obtrusive, spillover light, or glare.

Air Quality

In an application of this nature, it is expected that the application is accompanied with a provision for charging electric vehicles.

Construction

Due to the proximity of the site of the proposed development to neighbouring residential dwellings, therefore a condition is recommended for controlling the construction site's hours to protect the amenity of the occupants of nearby dwellings.

RECOMMENDED CONDITIONS

NC9 Noise Assessment Report and Mitigation Scheme - Condition

Before construction work commences, an additional BS4142:2019 noise impact assessment should be undertaken 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. Jet Wash Facility and any other commercial noise sources – such as fixed plant) 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 and 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 (separating commercial/residential parts), of the development is of a minimum of $55\text{dB } D_{nT\text{w}} + C_{tr}$ 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.

NC1 Implement Agreed Noise Mitigation Measures – Condition

Before the development is first brought into use all works which form part of the sound attenuation scheme as specified in the Noise Impact Assessment, Ref: NIA-12454-26-12732-v2, dated 23rd March 2026, prepared by Environmental Noise Solutions: shall be completed. Any changes to the approved noise mitigation measures must be submitted to and approved in writing by the Local Planning Authority.

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.

[Note: Contaminated land conditions would only be required if groundworks are necessary for redevelopment]

CLC1 Submission of a Phase 1 Preliminary Risk Assessment Report - Condition

Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

CLC2 Submission of a Phase 2 Intrusive Site Investigation Report - Condition

Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (CLC1). Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

CLC3 Submission of Remediation Strategy - Condition

Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2) further. Groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

CLC4 Implementation of the Remediation Strategy - Condition

Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (CLC3). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive

Site Investigation Report is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

CLC5 Submission of Verification Report - Condition

Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework

CLC7 Contaminated land - Footnote

All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2021. Reports must be prepared in accordance with the following guidance:

- *Land Contamination Risk Management (LCRM)*
- *BS 10175:2011+ A2:2017 Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020* by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

EVC1 Electric Vehicle Charging Points – Condition

Before first occupation, a scheme outlining the specific facilities for charging electric vehicles and other ultra-low emission vehicles for each parking space at the premises must be submitted to and approved in writing by the Local Planning Authority. This scheme must meet the minimum requirements in the current West Yorkshire Low Emission Strategy (WYLES) document. The approved facilities for charging electric vehicles must be installed before occupation and retained for use thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24

and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

EVF1 Electric Vehicle Charging Points – Footnote

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.
- The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.

LC1 External Artificial Lighting - Condition

Before the installation of external artificial lighting commences, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:

- a) The proposed hours of operation of the lighting
- b) The location of all the luminaires
- c) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.
- d) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
- e) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

No external artificial lighting shall be used unless the lighting has been installed and operated in accordance with the approved scheme.

Reason: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with part 2 and 15 of the NPPF and LP52 of the Local Plan.

LF1 Artificial lighting - Footnote

The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the *“Guidance Note 01/21 for the Reduction of Obtrusive Light”* by the Institution of Lighting Professionals: 2021 www.theilp.org.uk. The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for the corresponding Environmental Zone (i.e. E0 to E4).

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.