

**Consultation Response from: KC Environmental Health (Pollution & Noise Control)**
**2026/90405 - Land south of railway line, Scar Lane, Milnsbridge, Huddersfield, HD3 4PN**
**Discharge of conditions 3 (noise assessment), 5 (Phase I Desk Study Report), 6 (Site Investigation Report), 7 (Remediation Strategy), 15 (foul, surface, land drainage), 16 (seperate drainage systems) and 17 (surface water drainage) on previous permission 2024/91381 for variation of condition 2 (plans) on previous permission 2022/91789 for erection of four industrial units for E(g)(iii) (light industry) use with associated parking and turning facilities with 10 storage units**
**Date Responded:**  
**25 February 2026**
**Responding Officer:**  
**Hannah Kent**
**Responding Ref:**  
**WK/202605186**

Thank you for consulting Environmental Health on the above discharge of conditions application.

**COMMENTS**

Environmental Health has been consulted on the discharge of condition 3 (noise assessment) on previous permission 2024/91381 for variation of condition 2 (plans) on previous permission 2022/91789.

**Condition 3 states:**

Before construction work commences, a noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- a) an assessment of all of the noise emissions from the proposed development;
- b) details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises;
- c) a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation.

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

The applicant has submitted the following documents pursuant to the above discharge of conditions:

- BS4142 Assessment Report Ref: 28470.BS4142, dated 07 January 2026, prepared by KP Acoustics Ltd.

The report identifies the purpose of the BS4142 noise assessment stating that:

*The proposal is for the “erection of four industrial units for E(g)(iii) (light industry) use with associated parking and turning facilities with 10 storage units (within a conservation area)”. The proposed units fall under Use Class E(g)(iii), which is defined as industrial processes capable of being carried out in a residential area “without detriment to its amenity”. This inherently restricts the nature and scale of future activities within the development. Operations involving heavy machinery, significant external plant or large vehicle movements (e.g. HGV deliveries) would not fall under this use class and are therefore not considered representative.*

The report confirms that:

*On this basis, the assessment focuses on the credible noise-generating activities associated with E(g)(iii), namely: cars and vans accessing the site, light-touch operational noise typical of small workshops, and hand-loading associated with small-van deliveries. These represent the worst-case sound sources compatible with the proposed lawful use and form the basis of the assessment presented in this report.*

A baseline environmental noise measurement survey was undertaken between 15:00 on 22/11/2023 and 18:00 on 25/11/2023 to establish the noise climate currently experienced across the site. Whilst on site, the surveyor identified that:

*the background noise profile at the monitoring location was driven by distant road traffic, with noise from passing trains dominating intermittently. Intermittent but frequent noise was also clearly audible from nearby industrial uses, including dumping of materials and operation of heavy machinery.*

The results of the noise survey confirm that:

*The derived levels for the proposed operational period are shown in Table 3.1*

Time Period	Typical Background Sound Level, dB LA90,1h	Residual Sound Level, dB LAeq,1hr
Operational Period 07:30 – 19:00	44	52 - 63

**Table 3.1 Measured noise levels**

The BS4142 assessment has predicted future operational noise levels to include passenger vehicles (cars) x20/hr, light commercial vehicles x3/hr and operational noise breakout with shutters open (as a worst case assumption), and has predicted noise levels at the nearest noise sensitive receptors NSR 1 and NSR2 to be 43 dB LAeq,1h and 42 dB LAeq,1h respectively, which is below the current background noise level.

A fixed plant noise impact assessment was also undertaken as presented below:

*The following fixed plant noise emission limits are therefore proposed to apply at 1 m from the nearest noise sensitive receptor in accordance with the guidance contained within BS 4142:2014. These limits would be subject to the approval of Kirklees Council*

Time Period	Fixed Plant Rating Level Limit
Daytime 07:00 – 23:00	44 dB LAr,1h
Night-time 23:00 – 07:00	38 dB LAr,15min

**Table 6.1 Proposed plant noise emission limits**

The fixed plant levels suggested are at background sound level which would not result in significant noise impacts, however, in order to protect the amenity of nearby noise sensitive receptors at night, we recommend a nighttime noise limit of 5dB below background in order to prevent background noise creep.

## **RECOMMENDATION**

The submitted noise assessment satisfies the requirements of condition 3 (noise assessment), and the condition can now be discharged.

