

**Consultation Response from: KC Environmental Health (Pollution & Noise Control)**
**2026/91545 - Marsh Carpets, 82-84, Westbourne Road, Marsh, Huddersfield, HD1 4LF**

**Discharge of details reserved by conditions 3 (noise report), 4 (acoustic details), 6 (bin store) on previous permission 2024/92848 for alterations to convert first floor to 2 dwellings; sub-division of one ground floor retail unit to two retail units (use class Ea); installation of new shop fronts to south and east elevations and construction of external staircase to northern elevation including associated works**

**Date Responded:**  
Friday, 26 June 2026

**Responding Officer:**  
HK

**Responding Ref:**  
WK/202618411

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

Our comments relate to the following condition, which state:

3. 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 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 measures shall be thereafter retained.

## **Comments**

The applicant has submitted a Noise Assessment Report, Ref. 03918-120100, dated 27<sup>th</sup> April 2026, prepared by Blue Tree Acoustics Ltd.

The submitted Noise Assessment Report confirms that the proposal is to refurbish the ground floor shop area and create 2no dwellings above the retail use, and that the character of the surrounding area is a mixture of existing commercial and residential uses. *"Noise from road traffic movements dominates" and "Westbourne Road is busy during daytime hours and continues to be used frequently into the night. Westbourne Road has a bus stop on each side of the road in close proximity to the site, with buses running multiple times per hour throughout the day until around midnight and starting again at around 0520 hours". "There is a possibility for the noise from the shops to be audible in the flats above".*

The report states that: *"We understand that the Client's architect has taken responsibility for designing sound insulation from the commercial units and between the dwellings, so this is not considered within our report".* The submitted Noise Assessment Report is therefore only submitted for the discharge of condition 3. Condition 4 relates to sound insulation which will require information to be submitted separately – as stated in section 2.6 of the submitted Noise Assessment Report. This is further clarified in section 4.2, which states:

*"The ground floor unit is currently a shop, and the proposal is for the ground floor space to become 2no shops of Use Class E(a) and for the 1st floor level areas to become dwellings...For the sake of completeness, it is prudent to ensure that the shops do not play foreground music and that any music*

playing in the shops is limited to 60dB(A). The shops should have no external mechanical services plant or extracts. This will ensure that there is no noise impact, thus satisfying Condition 3”.

An environmental noise survey was undertaken between Monday 13/04/2026 and Wednesday 15/04/2026. Section 3.6 confirmed that:

*“The average daytime ambient noise level is 68dB LAeq free-field. The average ambient nighttime noise level is 65dB LAeq free-field”.*

Section 5 details the noise insulation requirements for the building:

*“The design of the building envelope of the new dwellings can incorporate suitable sound insulation to satisfy the internal noise criteria... in accordance with BS8233:2014. Based on the noise ingress calculations, the following sound insulation measures are recommended”.*

- *“Ceilings in living rooms, dining rooms, and bedrooms should comprise minimum 2no layers solid gypsum-based board (total minimum mass per unit area 20kg/m<sup>2</sup>), overlaid with mineral fibre insulation of minimum 100mm thickness”.*
- Table 3 presents glazing requirements:

**Table 3: Glazing minimum octave band sound reduction**

| Glazing configuration                                                                                                                                                                      | Octave band minimum sound reduction indices (dB) |     |     |     |    |    |    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|-----|-----|-----|----|----|----|
|                                                                                                                                                                                            | 63                                               | 125 | 250 | 500 | 1k | 2k | 4k |
| <u>All living rooms and all dining rooms, as well as all bedrooms entirely shielded from Westbourne Road:</u><br><br>4mm glass / 12mm airgap / 10mm glass<br>(nominal R <sub>w</sub> 36dB) | 20                                               | 25  | 22  | 33  | 40 | 43 | 44 |
| <u>Bedrooms facing Westbourne Road:</u><br><br>10mm glass / 12mm airgap / 6.4mm laminated glass<br>(nominal R <sub>w</sub> 39dB)                                                           | 22                                               | 27  | 29  | 36  | 41 | 42 | 52 |

- *“All bedrooms should be fitted with a ventilation system that provides an acoustic performance of at least 55dB D<sub>ne,w</sub>, such as the Greenwood MA3051 wall vent. Where possible, ventilation should be sought from the rear of the building away from Westbourne Road; where this has been possible, the ventilation performance required in each case can be reduced by 15dB. Living rooms and dining rooms should be fitted with a ventilation system that provides an acoustic performance of at least 44dB D<sub>ne,w</sub>, such as the Greenwood EHA574 acoustic vent”.*
- *“It is the 45dB L<sub>Amax</sub> criterion at night that dictates higher glazing and ventilation specifications for bedrooms exposed to Westbourne Road. The proposed specification generates 8no exceedances over 45dB L<sub>Amax</sub> across 2no nights (i.e. 4no exceedances per night on average), thus falling within the ‘10no exceedances’ typical interpretation, with the highest expected internal noise level being under 53dB L<sub>Amax</sub> based on the data collected over 2no nights”.*
- *“Considering the magnitude of the measured nighttime L<sub>Amax</sub> sound levels at this development site, it is not expected that the Approved Document O criteria with open windows for use with the simplified assessment method will be met for bedrooms most exposed to road*

*traffic noise. The highest maximum noise level expected at night in a bedroom with an open window is 72dB L<sub>Amax</sub>, and over 400no exceedances are expected to occur per night. Any overheating assessment should therefore consider closed bedroom windows for all plots with a view of Westbourne Road”.*

Section 5 of the report confirms that suitable internal noise levels can be achieved if the developer provides the recommended noise insulation measures presented in section 5 of the submitted Noise Assessment Report, Ref. 03918-120100. The report further concludes that in terms of ventilation that closed windows will be necessary on the Westbourne Road façade which will require an alternative means of ventilation for habitable rooms on this façade to prevent overheating.

The submitted Noise Assessment Report, Ref. 03918-120100 is accepted and has confirmed that with suitable noise insulation, internal noise levels in the residential dwellings can be achieved. The applicant must now undertake the specified sound insulation measures and confirm with evidence that these works have been completed.

### **Recommendation**

The submitted report advises the applicant how to meet internal noise levels within the residential apartments of the development. However, the condition also advises that *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* (at which point the LPA can discharge the condition). The developer will need to undertake the recommended works and demonstrate that the specified works have been completed as advised.

Condition 3a does require an assessment of noise levels from the development. The submitted Noise Assessment Report, Ref. 03918-120100 does not provide this, however, it does state that:

*“The ground floor unit is currently a shop, and the proposal is for the ground floor space to become 2no shops of Use Class E(a) and for the 1st floor level areas to become dwellings...For the sake of completeness, it is prudent to ensure that the shops do not play foreground music and that any music playing in the shops is limited to 60dB(A). The shops should have no external mechanical services plant or extracts. This will ensure that there is no noise impact, thus satisfying Condition 3”.*

Bearing in mind the high noise levels on the Westbourne Road façade, and the likelihood that mechanical ventilation will be required to prevent overheating of the proposed residential flats (internal noise levels cannot be met if windows are open):

1. Could the applicant confirm that there is to be no external mechanical services or plant in relation to either of the proposed shops or the proposed residential units?

The applicant has not submitted any details for the discharge of condition 4.

Conditions 3 and 4 must remain until such time that further evidence has been provided in relation to condition 4 and the applicant has undertaken *the measures specified in the approved report* - written evidence will be required, submitted to and approved by the Local Authority, along with confirming whether any external mechanical services or plant is to be installed.