Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2026/92054 - Ground floor, 26-28 Queen Street, Huddersfield, HD1 2PU		
Variation of condition 3 (hours of operation) on previous permisson 2021/94232 for change of use from office to cafe (class E(b)) with internal alterations (Listed Building within a Conservation Area)		
Responding Date: **04 September 2026**	**Responding Officer:** **Mohammed Nasim**	**Responding Ref:** **WK202626593**

Comments

The proposal is to vary the current hours from -

- 0800hrs to 1900 Monday to Saturday
- 1000hrs to 1600hrs Sundays and Bank Holidays

to

- 0800hrs to 0500hrs daily.

This is in line with the submitted Premises Licence Ref PR00535 issued 05 June 2026.

In support of the application, a Noise Impact Assessment authored by es acoustics dated 22 July 2026 Ref 22722.NIA-RPT.01 RevB has been submitted. It identifies the neighbouring noise sensitive receptors which are office/commercial uses as shown in figure 1.

Background noise monitoring was conducted from 03 July to 07 July 2026 from a single monitoring position as shown in figure 2 and a summary of the findings is given in table 5. Comment is made that the dominant source was road traffic and this is expected due to the proximity of Queensgate.

In order to ensure compliance with guidance and Kirklees Council requirements, the report proceeds to assess the potential impact from the proposed use as per their premises licence. Typical noise levels associated with the use were generated and the maximum entertainment noise breakout at the nearest noise sensitive receptor was calculated as shown in table 7. The assessment required both the entrance door and the lobby door to be closed during the entertainment noise and to keep these doors closed for as long as possible and it is recommended that door shutters are installed on these doors. A maximum permitted noise level of 101dB $L_{Aeq,\,T}$ is given in table 8 which is deemed suitable for a live music venue/DJ.

Based upon the above, the sound insulation between the premises and the neighbouring offices was tested and the results show it exceeds our requirement of 55dB $D_{nTw} + C_{tr}$ and this is accepted. Note - the 55dB $D_{nTw} + C_{tr}$ requirement is where licensed premises share a party wall and/or floor/ceiling with residential uses.

The report states the offices would operate during ‘normal’ workday hours but these hours are not specified. The report states in order to prevent any disturbance to the office receptors, amplified music should be limited to a period after the working hours of the offices based upon

the assumption that people are not working in the neighbouring offices during the evening and night-time periods. It is accepted in acoustic terms that daytime is from 0700hrs and evening is from 1900hrs onwards.

A Noise Management Plan is listed in Section 6 and the report states the various management functions within it must be adopted to ensure that the likelihood of complaints due to noise and the use of the function room are minimised in accordance with BPM (Best Practical Means). A noise limiter is proposed and it is imperative that this is installed competently and is secured in a tamper proof locked cabinet. An annual calibration will be likely and the calibration certificate should be presented upon request by an Officer of Kirklees Council. Management must ensure it is not 'bypassed' and used in accordance with the recommendations within the report.

The submitted information is accepted. Conditions are recommended to secure compliance in the interests of protecting amenity.

Recommended Conditions

HUC1 Hours of Use Open for Customers - Condition

The use hereby permitted shall not be open to customers outside the hours of 0800hrs to 0500hrs daily.

Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, 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 authored by es acoustics dated 22 July 2026 Ref 22722.NIA-RPT.01 RevB:

a) shall be completed; and
b) written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved, then a further scheme shall be submitted for approval of the Local Planning Authority incorporating further measures to achieve those noise levels.

All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use and retained thereafter.

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.