

INVESTMENT & REGENERATION SERVICE

GUIDANCE ON NOISE, ODOUR AND AIR QUALITY CONTROL FOR RESIDENTIAL DEVELOPMENT IN THE TOWN CENTRES

Kirklees Council's Investment and Regeneration Service is committed to the Corporate aim to support business growth and jobs and in particular to create vibrant and thriving town centres. An essential element is to provide an attractive and sustainable mixed use town centre. It is recognised that residential development plays an important role in the vitality of town centres. Nevertheless town centre developments will be subject to different, sometimes conflicting, user demands all of which need to be balanced in the final judgement. In particular the Local Planning Authority needs to ensure that occupants of proposed residential development will not be subject to unreasonable levels of noise, odour and air quality. This guidance supports developers to identify what information the Local Planning Authority will require to address these issues and avoid any delay in the validation and determination of planning applications for residential development in the town centre.

The issues

Noise

The town centre currently comprises mainly commercial and leisure uses, shops, pubs/bars, nightclubs and office space. The centre is surrounded by a highly trafficked ring road and a number of major thoroughfares through the centre itself. Very often these commercial and leisure uses can generate high levels of noise, for example, entertainment noise, the operation of air handling, air conditioning plant and kitchen extraction systems as well as noise from street activity associated with the night time economy. Roads also provide a significant source of noise. Such noise can be a problem to the occupants of inappropriately sited or inadequately protected residential development close to existing commercial and leisure uses. Exposure to excessive noise levels is recognised both nationally and internationally as a source of ill health.

Applications for proposed residential development in locations close to such existing sources of noise will need to be accompanied by a noise report that examines if noise could be a problem to future occupants and if so what additional measures are required to protect them. This may include a ventilation scheme if windows need to remain closed due to elevated noise levels. Companies providing such reports can be found at the Association of Noise Consultants - <http://www.association-of-noise-consultants.co.uk/Member/List> or the Institute of Acoustics - <http://www.ioa.org.uk/find-a-specialist/>

Air Quality

Air quality is a material consideration in determining planning applications. It is well documented that poor air quality can have detrimental impacts on health. If the Air Quality issues are not properly considered then the Council may be creating homes in areas of known poor air quality.

The principle source of harm to air quality is vehicular traffic movement and therefore applications for proposed development in locations close to car parks, main roads and congestion areas are likely to require an air quality assessment. In such circumstances these applications will need to be accompanied by an Air Quality Impact Assessment that examines the Air Quality in the proposed location and whether any additional measures are required (or possible) to protect the future occupants from poor air quality.

Odour

There are many kitchens in the town centre where cooking odours are extracted to atmosphere. These cooking odours are a common source of nuisance to residents. As such applications for residential development close to sources of odour will need to be accompanied by a report that properly examines whether any additional work is required to protect future occupiers from such sources of odour nuisance.

Protecting the night time economy

Inappropriate or inadequately protected residential development carries the risk of detrimentally affecting the vitality of the town centre and the future of existing and potential businesses within it. For example, complaints received from the occupants of unprotected residential development close to existing entertainment noise sources would result in restrictions being imposed on the existing business affecting their viability. The Council is committed to protecting the existing and future economy of the town centre by supporting appropriate development.

Heritage

Many buildings within town centres are listed for their special architectural or historic interest. For alterations to listed buildings consent is required from the Local Planning Authority for any internal and external alterations which materially affect their character. Furthermore large parts of the town centres of Huddersfield, Dewsbury, Holmfirth and Batley are designated conservation areas where external alterations to a building need to preserve the historic character of the area. The most common forms of noise, odour and air quality mitigation rely on upgraded double glazing and forced air ventilation systems which require vents etc. These common systems can be a challenge to implement in listed buildings and in conservation areas. Secondary glazing and whole building ventilation systems are sometimes the only option. These systems need careful early planning.

Addressing the Issues

The Council acknowledges the demand for residential development in the town centre and welcomes such development as a sustainable form which will enhance the vitality and viability of our town centres. Nevertheless it is also recognised that there are some areas of the town centre where residential development cannot be supported due to excessive noise or odour levels and/or poor air quality. Early identification of the issues and any required mitigation possibilities are key to the selection of suitable sites for development and to ensure that subsequent applications are moved through the planning process efficiently without delay. Pre-design and pre-application advice from all interested parties is highly recommended in all residential development in the town centre. The Council has a formal procedure for pre-application advice which can be found at the following link:

<http://www.kirklees.gov.uk/business/planningapplications/advice.aspx>

Key Points for Developers

- Early consultation with the Pollution and Noise Control team before design stage
- Any residential development near the ring road and high trafficked routes within the town centre is likely to require an Air Quality Impact Statement.
- Any residential development near the ring road, high trafficked routes and sources of entertainment noise within the town centre is likely to require Noise assessment.
- Most residential developments within the town centre will require updated double glazing or secondary glazing where windows will need to remain closed therefore a forced air ventilation system will be required.
- Development of a listed building in particular and within conservation areas in general will require further consultation with the Council's Conservation Officer and careful design of mitigation measures.

What will happen if the air quality or noise cannot be reduced to an acceptable level?

In the event that mitigation cannot resolve all our concerns, the Council will decide whether any remaining adverse effects are sufficiently outweighed by the social, economic or other benefits of the development to the area. In doing this, it will consider national, regional and local development and environmental policies and priorities as set out in planning policy guidance and any relevant supplementary planning guidance.

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