
From: Kevin Moore
Sent: 08 March 2016 18:29
To: Bill Topping; Steve Hopwood
Subject: 2015/60/93824/W
Attachments: tmpF4D2.DOC.docx

Hi Bill/Steve

Please see the latest response for this application:

2015/60/93824/W

Outline application for erection of 56 dwellings and care home with associated car parking

Midlothian Garage Yorkshire Ltd, New Mill Road, Wooldale, Holmfirth, Kirklees, HD9 7LH

Please call if you have any queries

Regards

Kevin
70841

**Town and Country Planning Act 1990
Application for Permission to Develop Land**

Response from Pollution & Noise Control

PNC Reference No:	WK/201526371
Name of Planning Officer dealing with the matter:	Bill Topping
Application Number:	2015/60/93824/W
Proposed Development:	Outline application for erection of 56 dwellings and care home with associated car parking
Location:	Midlothian Garage Yorkshire Ltd, New Mill Road, Wooldale, Holmfirth, Kirklees, HD9 7LH
Date Required By Planning:	1st January 2016

COMMENTS

UPDATED RESPONSE, please accept this as my response to this application and disregard my previous response dated 26 February 2015.

Air Quality

We have reviewed this application in accordance with West Yorkshire Low Emission Strategy Planning Guidance. This guidance categorises developments according to size and different air quality mitigation / assessment is required when the application meets certain criteria.

This application is for construction of 56 C3 properties and C2 Care home. In accordance with WYLES Planning Guidance this development would be regarded as a medium development. The threshold for C3 use for medium size development is 50 dwellings.

Therefore, the following conditions are required on the application

- Low emission vehicle charging points all allocated parking and in 10% of unallocated parking spaces which may be phased with 5% initial provision and the remainder at an

agreed trigger level

- Submit a low emission travel plan prior to commencement of development for approval by the LPA.

Construction Site Noise

As this is a large site and in some places existing residential properties are close by, please apply the following footnote regarding hours of construction:

To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 To 18.30 hours Mondays to Fridays

08.00 To 13.00hours, Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Noise

I am not overly concerned about off site noise (road traffic noise, tennis club) affecting the new residents. However I believe there is potential for noise associated with the care home to cause problems for the residents of the new homes. In order to minimise disruption, I recommend that the following conditions regarding deliveries and external plant are applied to any consent granted:

Deliveries to Care home (routine Items Food/Laundry etc.)

Unless otherwise agreed in writing with the LPA, there shall be no deliveries to or dispatches from the Care Home outside the hours of 0730 to 1830 Monday to Friday and 0800 to 1300 Saturdays. No deliveries shall take place on Sundays or Bank Holidays.

External Plant (extraction systems, air conditioning units etc.) at the Care Home

Poorly sited/designed plant has the potential to cause noise problems for nearby residents. Therefore please apply the following condition to any consent granted:

Before development commences, full details of any externally sited plant (including location, expected noise levels) to be installed, shall be submitted to the LPA for approval. The agreed plant shall be installed as agreed and thereafter maintained in accordance with the manufacturer's recommendations.

Floodlighting/Security Lights at the Care Home

It is unknown at this stage what (if any) security/floodlighting is proposed for the care home. As poorly designed lighting schemes can cause issues for neighbours, please apply the following condition/footnote:

Before the Care Home development commences, a scheme which indicates the measures to

be taken for the control of any glare or stray light arising from the operation of artificial lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the artificial lighting shall be operated in accordance with the approved scheme.

To reduce problems of glare from floodlights and security lights, such lighting should be installed and maintained in accordance with the "Guidance Notes for the Reduction of Light Pollution" produced by the Institution of Lighting Engineers (telephone 01788 576492).

Contaminated Land

I have now had the chance to review all the submitted information (including the latest gas monitoring results) regarding actual/potential land contamination on this site. Reports/information reviewed as part of this application include:

Ian Farmer Associates (1998) Ltd Ground Investigation Report October 2008 Ref: W08/40349, originally written to accompany the application for an A1 Retail development.

Eastwood and Partners Combined Phase I/II Contaminated Land Report December 2015 Ref: 39141

Eastwood and Partners Additional Gas Monitoring Report dated March 07 2016

I accept the contents of these reports and I am satisfied that outline planning condition can be granted for residential accommodation on this site. Gas monitoring in part of the site is still recording high Methane and Carbon dioxide levels and further monitoring is ongoing with a view to finalising the gas protection strategy for the housing on the site. This information needs to be submitted and approved prior to the commencement of any development on site. I therefore recommend that the following conditions are applied to any consent granted:

CLC2 Submission of an Intrusive Site Investigation Report (Phase II Report)

As further intrusive investigation has been recommended in the Eastwood and Partners Reports dated 01 December 2015 and 07 March 2016, development shall not commence until a further Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the local planning authority. This report should contain details of all the rounds of gas monitoring.

CLC3 Submission of Remediation Strategy

Where site remediation is recommended in the additional Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2) development shall not commence until a Remediation Strategy (to cover ground contamination and gas protection) 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.

CLC4 Implementation of the Remediation Strategy

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 works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified

in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, 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.

CLC5 Submission of Validation Report

Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the local planning authority.

CLC 7 Footnote to be applied to all applications

All contamination reports shall be prepared in accordance with CLR11, PPS23 and the Council's Advice for Development documents or any subsequent revisions of those documents.

Date:	08 March 2016	Officer:	Kevin Moore 70841
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