

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

Response from Pollution & Noise Control

PNC Reference No:	WK/201615860
Name of Planning Officer dealing with the matter:	Anthony Monaghan
Application Number:	2016/92377
Proposed Development:	Prior approval of proposed change of use from offices (Class B1a) to 4 dwellings (Class C3) - Unit 4
Location:	Centre 27 Business Park, Bankwood Way, Birstall, Batley, WF17 9TB
Date Required By Planning:	11th August 2016

COMMENTS

My professional opinion is that the site is not suitable for residential dwellings. However, if you are minded to grant permission then I would recommend attaching the following conditions;

AIR QUALITY

Prior to development commencing a full Air Quality Impact Assessment should be submitted to and agreed with the Local Planning Authority. The Assessment must determine whether the development will introduce receptors into an area of poor air quality and recommend appropriate mitigation where required. The mitigation must be agreed by the Local planning Authority and all works carried out prior to occupation of the development.

Before occupation, in all residential units that have a dedicated parking area and/or a dedicated garage an electric vehicle recharging point must be installed. Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. In residential units that have unallocated parking spaces then before occupation of these units at least one electric vehicle recharging point per ten properties with the above specification must be installed.

CONTAMINATED LAND

CLC1 *Submission of a Preliminary Risk Assessment (Phase 1 Report)*

Development shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) has been submitted to and approved in writing by the local planning authority.

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

Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (CLC1) development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the local planning authority.

CLC3 *Submission of Remediation Strategy*

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

CLC6 *Reporting of Unexpected Contamination*

In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, 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 on site shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved 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 whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works 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.

NOISE

Before development commences a report specifying the measures to be taken to protect the development from noise from adjacent leisure, retail and industrial units as well as road traffic noise, shall be submitted to and approved in writing by the LPA

The report shall

- (i) Determine the existing noise climate
- (ii) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development (this is for housing think whether there would be alternative wording for other uses)
- (iii) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

Unless otherwise agreed in writing with the LPA the development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Before development commences, a ventilation scheme to show how habitable rooms throughout the development shall be ventilated without the need to open windows shall be submitted to and approved in writing by the LPA. All works which form part of the approved scheme shall be completed prior to occupation of the aforementioned plots.

Date:	9 th August 2016	Officer:	Matt Roberts Ext 860
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