

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

**Response from Pollution & Noise Control**

<b>PNC Reference No:</b>	WK/201706055
<b>Name of Planning Officer dealing with the matter:</b>	Emma Thompson
<b>Application Number:</b>	2016/92664
<b>Proposed Development:</b>	Outline application for erection of 19 dwellings
<b>Location:</b>	Fmb Investment Ltd, Oak Mill, Cliff Hollins Lane, East Bierley, Bradford, BD12 7ER
<b>Date Required By Planning:</b>	11th April 2017

**COMMENTS**

I have reviewed the application and supporting information and make the following comments and recommended conditions.

**Noise**

The applicant has submitted an Acoustic report by ENS dated 10 February 2017 ref: NIA/7007/16/6954v2/Bierley. I agree with the findings of this report and recommend the following condition.

**Noise Condition**

Before the development is first brought into use all works which form part of the sound attenuation scheme as specified in the Noise Report ref: NIA/7007/16/6954v2/Bierley dated 10 February 2017 produced by ENS :-

- I. shall be completed; and
- II. 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 the written 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

### **Contaminated Land**

A Phase 1 Contaminated Land Report has by Mugen Geo Ltd dated June 2016 ref: 1606 BD12 7ER has been submitted in support of this application. I agree with the general findings of this report that further site investigation (including consideration of the gas regime at the site) is needed to fully assess the site. I therefore recommend the following conditions:

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

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 Mugen Geo report ref 1606 BD197ER dated June 2016 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.

### **Sustainable Transport**

Paragraph 35 of the national Planning Policy guidance states that "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to.....incorporate facilities for charging plug-in and other ultra-low emission vehicles.."

We would like this development to encourage the use of ultra-low emission vehicles such as electric vehicles therefore we would like the following placed as a condition.

### **Sustainable Transport Condition**

Before development commences, a scheme to show how the development shall incorporate facilities for charging plug-in electric vehicles 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 development.

Footnote:

We would be satisfied with 1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking).

### **Construction Site Noise**

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 and 18.30 hours Mondays to Fridays  
08.00 and 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.

<b>Date:</b>	04 April 2017	<b>Officer:</b>	Michael Pogson 70895
--------------	---------------	-----------------	----------------------