
From: Emma Thompson
Sent: 31 January 2017 10:56
To: DCAdmin
Subject: FW: 2016/93147 - Outline application for erection of residential development at 444 Bradford Road, Batley, WF17 5LW
Attachments: tmpA857.DOC

From: Richard Hume
Sent: 27 January 2017 15:18
To: Emma Thompson
Subject: 2016/93147 - Outline application for erection of residential development at 444 Bradford Road, Batley, WF17 5LW

Hi Emma

2016/93147 - Outline application for erection of residential development at 444 Bradford Road, Batley, WF17 5LW

My comments are attached

Regards

Richard

RICHARD HUME
Environmental Health Officer
Pollution & Noise Control
Kirklees Council (Environmental Health)
Flint Street
Fartown
Huddersfield
HD1 6LG
tel: 01484 221000 - Automated switchboard ask for Richard Hume or key 70909

This email and any attachments are confidential. If you have received it in error - notify the sender immediately, delete it from your system, and do not use, copy or disclose the information in any way. Kirklees Council monitors all emails sent or received.

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

Response from Pollution & Noise Control

| | |
|--|---|
| PNC Reference No: | WK/201625228 |
| Name of Planning Officer dealing with the matter: | Emma Thompson |
| Application Number: | 2016/93147 |
| Proposed Development: | Outline application for erection of residential development |
| Location: | 444 Bradford Road, Batley, WF17 5LW |
| Date Required By Planning: | 22nd November 2016 |

COMMENTS

The applicant has submitted a planning statement advising that this “is fundamentally a renewal of the 2013/92480 as none of the circumstances have changed from when the planning permission was issued” but also advises that the 2013 consent was a renewal of a 2010 permission.

Contaminated Land

A Phase 1 Desk Study and Phase 2 Geoenvironmental Ground Investigation report by Ashton Bennett dated October 2009 (Ref: PL2800) was submitted in support of the 2010 application and was again accepted for the 2010 application. The report is now over seven years old and is therefore no longer considered acceptable as there may have been events on the site during the last 7 years that may have resulted in further contamination occurring. A new Phase 1 report will therefore be necessary or the original report revised and updated to account for the last 7 years. Contaminated land conditions are therefore necessary.

Noise

A Noise Survey Report by Joynes Pike & Associates Ltd dated 3 April 2007 was submitted in

support of the above mentioned 2010 application. This report is now almost 10 years old and therefore is no longer relevant as the noise environment is likely to have changed as has guidance on noise. As the proposed development is close to a busy main road, noise from road traffic is likely to be an issue. A condition requiring a new noise assessment is therefore required.

Air Quality

The national air quality objectives are consistently exceeded at a monitoring location close to the proposed development, indicating that these objectives will be exceeded on parts of the proposed development site closest to Bradford Road. A new residential development in an area where the National Air Quality Objectives are exceeded is potentially inappropriate. The proposed layout plan however shows the proposed residential properties as large buildings set back a little from the busy highway. There is therefore an opportunity for the air supply for these buildings to be taken from a point significantly further away from Bradford Road, where the air quality is acceptable. I therefore consider that it is necessary for the applicant to provide a mitigation scheme to deal with poor air quality.

In an application of this nature it is expected that facilities for charging facilities for electric vehicles and other ultra-low emission vehicles is provided in accordance with the *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group (WYLES).

Recommended Conditions

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.

Contaminated Land Footnote

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 building works commence a report specifying the measures to be taken to protect the development from noise from road traffic shall be submitted to and approved in writing by the Local Planning Authority

The report shall

- (i) Determine the existing noise climate
- (ii) Predict the noise climate habitable rooms (daytime), bedrooms (night-time) and gardens (daytime of the development)
- (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.

Air Quality

Before building works commence, a report specifying the measures to be taken to protect the future occupiers of the development from poor air quality shall be submitted to and approved in writing to the Local Planning Authority

The report shall demonstrate how the incoming air supply for the residential units adjacent to Bradford Road is taken from an area where the air quality is satisfactory and should also show how air from areas of poor air quality will be prevented from entering into the buildings.

Before the development is brought into use, the following electric vehicle charging points shall be provided and retained thereafter

- one electric vehicle charging for each residential unit with a dedicated parking spaces and/or a dedicated garage and
- one electric vehicle charging point for every ten unallocated parking spaces

The cable and circuitry ratings for the charging points shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps

| | | | |
|--------------|-------------|-----------------|------------------------|
| Date: | 28 Dec 2017 | Officer: | Richard Hume Ext 70909 |
|--------------|-------------|-----------------|------------------------|