

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

Response from Pollution & Noise Control

PNC Reference No:	WK/201702635
Name of Planning Officer dealing with the matter:	William Simcock
Application Number:	2016/94329
Proposed Development:	Erection of service station, vehicle repair bays, hot food take-away and storage units and demolition of existing buildings.
Location:	Jet, Scar Lane Filling Station, Scar Lane, Milnsbridge, Huddersfield, HD3 4QA
Date Required By Planning:	28th February 2017

COMMENTS

Contaminated Land

The site is potentially contaminated as a result of its current use as a petrol filling station, therefore the following conditions are included in any permission given:

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.

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.

Hours of operation

The **A1** use hereby permitted shall not be open to customers outside the hours of 0700 to 2300 Monday to Saturday and 0800 to 2300 Sundays.

The **A5** use hereby permitted shall not be open to customers outside the hours of 0800 to 2300 Monday to Sundays.

The **B1** use hereby permitted shall not be open to customers outside the hours of 0730 to 1900 Monday to Saturday, no workings on Sundays or Bank Holidays.

Unless otherwise agreed in writing with the LPA no deliveries to or dispatches from the premises shall take place outside the hours of 0730 and 1900 Monday to Friday and 0800 to 1300 Saturdays. No activities shall take place on Sundays or Bank Holidays.

Odours/Extraction

The **A5** use hereby permitted shall not begin until details of the installation and/or erection of any extract ventilation system, including details of the methods of treatments of emissions and filters to remove odours and control noise emissions have been submitted and approved in writing by the Local Planning Authority and the works specified in the approved scheme

have been installed. Such works shall thereafter be retained, operated at all times when the takeaway is in use and maintained in accordance with the manufacturer's instructions unless otherwise agreed in writing by the Local Planning Authority.

Food Safety - Footnote

It is recommended that prior to development commencing the applicant should contact the Food Safety Team of Environmental Services to arrange an advice visit to discuss food safety and hygiene requirements including an appropriate layout. The Food Safety team can be contacted on 01484 414739.

Construction Site Noise – Footnote

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.

Date:

24 February 2017

Officer:

Alexandra Garry Ext 70832