

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

**Response from Pollution & Noise Control**

<b>PNC Reference No:</b>	WK/201712916
<b>Name of Planning Officer dealing with the matter:</b>	Matthew Woodward
<b>Application Number:</b>	2017/90620
<b>Proposed Development:</b>	Planning permission for demolition of existing buildings, change of use of existing building to mixed uses comprising B1a (offices), B1c (light industrial), A3 (food and drink) and C3 (up to 18 dwellings) and outline permission for erection of 75 dwelling
<b>Location:</b>	Dobroyd Mills, Hepworth Road, Jackson Bridge, Holmfirth, HD9 1AF
<b>Date Required By Planning:</b>	14th July 2017

**COMMENTS**

This application is essentially unchanged from the one originally commented on by myself in March 2017. The only slight change I can see is a possible change of use on some of the floors of the retained 4 storey mill building. As the new proposed uses remain compatible with each other, with essentially a buffer (B1a/c) between the potentially noisiest use (A3) and the most noise sensitive (C3), then my comments remain the same, which are:

Overall we have no objection this development being granted planning permission subject to conditions regarding Land Contamination, Air quality, Extraction system (A3 use), hours of use/delivery of the B1 units and Construction/Demolition site hours. Careful design/layout of the commercial/residential uses in the 4 storey mill will be needed to avoid conflicting uses (particularly regarding noise). Ideally the A3 use should be on the ground floor with a "buffer floor" of B1 office use between the A3 and the C3 floors.

## **Contaminated Land**

I have studied the submitted report (ARC Environmental Ltd dated April 2016 ref:16-202), and agree with its contents and conclusions. I therefore recommend that the following conditions are applied to any consent granted:

### **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 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.

## **Air Quality**

This development has been assessed in accordance with the West Yorkshire Low Emission Strategy Planning Guidance. The size of the development is more than that of prescribed values set out in this document and also meets additional set criteria, which is why it is regarded as a major development.

We therefore require the following condition:

- Install 1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking)
- Install 1 charging points in 10% of parking spaces or if agreed with the planning authority may be phased with 5% initial provision and the remainder at an agreed trigger level
- Produce a Travel Plan including mechanisms for discouraging high emission vehicle use and encouraging modal shift (i.e. public transport, cycling and walking) as well as the uptake of low emission fuels and technologies
- All commercial vehicles should comply with current or the most recent European Emission Standards from scheme opening, to be progressively maintained for the lifetime of the development
- Upon occupation of the site Fleet Operators must provide a strategy for reducing emissions, which must be agreed with by the local authority.
- Provide a Full Air Quality Impact Assessment including calculating the monetary damages from the development. The monetary value of the damages should be reflected in money spent on low emission mitigation measures

### **Extraction System (A3) use**

Any A3 use will require a sufficient ventilation/extraction system to ensure that cooking odours are not going to cause a nuisance to new residents in the same block. Please apply the following condition to any consent granted:

The A3 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/restaurant is in use and maintained in accordance with the manufacturer's instructions unless otherwise agreed in writing by the Local Planning Authority.

### **Food Safety**

It is recommended that prior to the A3 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 226452.

### **B1 Hours of use**

Unless otherwise agreed in writing with the LPA no activities shall be carried out on the premises, including deliveries to or dispatches from the premises, outside the hours of 0730 and 1800 Monday to Friday and 0800 to 1300 Saturdays. No activities shall take place on Sundays or Bank Holidays

## Hours of Construction

To minimise noise disturbance at nearby existing residential 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>	26-07-17	<b>Officer:</b>	Kevin Moore Ext 70841
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