

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

Response from Pollution & Noise Control

PNC Reference No:	WK/201724272
Name of Planning Officer dealing with the matter:	Matthew Woodward
Application Number:	2017/92997
Proposed Development:	Erection of 70 (over 55) retirement apartments comprising of four blocks, provision of a community building, electricity substation and laying out of internal roads, parking areas and greenspace and associated infrastructure.
Location:	Lidl FORMER, Station Road, Mirfield, WF14 8LL
Date Required By Planning:	26/11/2017

COMMENTS
<p>I have reviewed the information submitted by the applicant and recommend the following conditions:</p> <p>AIR QUALITY</p> <p>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.</p> <p>We therefore require the following condition:</p> <ul style="list-style-type: none"> • Install 1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking) • 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. • 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.

CONTAMINATED LAND

This site has been identified on our mapping system as potentially contaminated land due to its previous use as a works. Therefore, we recommend the following 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.

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

I have reviewed the report submitted by Environmental Studies dated June 2017 and will have to refuse it due to insufficient information. I would require any future report to include measurements taken when deliveries are being undertaken at the Co-op/ bottle banks in the car park, measurements taken during rush hour times on Station Road Mirfield and noise measurements taken in the evening through the night to take into account noise from the railway.

I also recommend the following advice is given to the applicant,

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:	23 November 2017	Officer:	Kevin Ellam 01484 221000
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