

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

Response from Pollution & Noise Control

PNC Reference No:	WK/201805536
Name of Planning Officer dealing with the matter:	Rebecca Drake
Application Number:	2018/90836
Proposed Development:	Erection of retail unit at ground floor with two flats at first floor.
Location:	Charlotte Court, 14 Law Street, Cleckheaton, BD19 3QR
Date Required By Planning:	13/04/2018

COMMENTS

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

Noise

Site located in an area of mixed industrial use with commercial properties (light industrial, offices, warehouse) located to the rear and the busy Bradford Road to the front. I have concerns that noise from industry and road traffic would future occupants of the first floor residential properties provided by this development. I therefore recommend the following condition.

Noise Condition

Before development commences a report specifying the measures to be taken to protect the development from noise from commercial / industrial premises at Law Street and John William Street Cleckheaton and Road Traffic Noise from Bradford Road 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 in bedrooms (night-time) and other habitable rooms of the development (daytime).
- (iii) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

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.

Reason: In the interests of amenity of the occupiers of these properties and to accord with the requirements of policy EP4 of the Unitary Development Plan.

Contaminated Land

The site of the proposed development is located on a site that has previously been developed and is located in close proximity to a site that has historical industrial use. I therefore recommend the following condition.

Unexpected Contamination Condition

In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, 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. Works on site shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To identify and remove unacceptable risks to human health and the environment and in accordance with the NPPF.

Sustainable Transport

This development has been assessed in accordance with the West Yorkshire Low Emission Strategy Planning Guidance. The size of the development is less than that of prescribed values set out in this document, which is why it is regarded as a minor development. We therefore require the following condition:

For allocated parking for the residential units install 1 charging point per 1 residential unit.

For the ground floor retail unit 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

Date:	10/04/2018	Officer:	Michael Pogson 01484 221000 ext 70895
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