

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

**Response from Pollution & Noise Control**

<b>PNC Reference No:</b>	WK/201807356
<b>Name of Planning Officer dealing with the matter:</b>	Rebecca Drake
<b>Application Number:</b>	2018/91150
<b>Proposed Development:</b>	Erection of 3 dwellings.
<b>Location:</b>	Green Lane Motors, 14 Wormald Street, Millbridge, Liversedge, WF15 6BE
<b>Date Required By Planning:</b>	11/05/2018

**COMMENTS**

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

**Noise**

I have reviewed the Noise Report by ENS dated 16/03/2018 ref NIA/7748/18/7575/v6/ and agree with the general findings of this report. However, this service does not consider passive trickle ventilation sufficient for summer cooling. I therefore recommend the following conditions.

**Noise Condition**

Before the development is first brought into use all works which form part of the sound attenuation scheme as specified in the Noise Report dated 16/03/2018 produced by ENS :-

- I. shall be completed; and
- II. written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the local planning authority.

If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved then a further scheme shall be submitted for the written approval of the local planning authority incorporating further measures to achieve those noise levels.

All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

### **Ventilation Condition**

Before development commences, a ventilation scheme to show how habitable rooms facing on to Wormald Street shall be ventilated without the need to open windows shall be submitted to and approved in writing by the LPA. All works which form part of the approved scheme shall be completed prior to occupation of the aforementioned plots.

### **Contaminated Land**

I have reviewed the Phase 1 Contaminated Land Report by RB Geotechnical dated December 2017 and agree with the general findings of this report and make recommend the following conditions.

#### **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.

#### **CLC6 *Reporting of Unexpected Contamination***

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. Unless otherwise agreed in writing with the local planning authority, 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 agreed in writing with 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.

#### **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 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:

Install 1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking)

#### **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.

<b>Date:</b>	01/05/2018	<b>Officer:</b>	Michael Pogson 01484 221000 ext 70895
--------------	------------	-----------------	---------------------------------------

