

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

**Response from Pollution & Noise Control**

<b>PNC Reference No:</b>	WK/201818554
<b>Name of Planning Officer dealing with the matter:</b>	Matthew Woodward
<b>Application Number:</b>	2018/92934
<b>Proposed Development:</b>	Outline application for erection of residential development
<b>Location:</b>	former Gees Garage, New Hey Road, Outlane, Huddersfield, HD3 3YJ
<b>Date Required By Planning:</b>	5 Oct 2018

**COMMENTS**

**Contaminated Land**

The site is shown as being potentially contaminated from its former use and the proposed development is one which is sensitive to land contamination. Therefore contaminated land issues need to be considered. A Phase I Desk Study Report by Demeter Environmental Ltd dated Aug 2018 (ref: 18-07-05 revision 0) has been submitted; however the report is unacceptable in a number of ways.

This report is very similar to another report submitted by the same author for the adjacent site in connection with a separate planning application (2018/92935). The two reports have identical dates and reference numbers on the front page (the reference numbers on Page 2 do differ). These are two different sites of different sizes but the executive summary for each site give identical grid references and advise that they are exactly the same size. Both documents at part 2.1.1 again give an identical grid reference for each of the two sites and refer to a site plan in Appendix G. The plans at Appendix G in the two documents are identical. These reports therefore fail to correctly and clearly identify which site it refers to, is inaccurate and is therefore totally unacceptable. A revised report will therefore be required; this needs to have a unique reference number and also need to show (preferably at the start of the report) clearly and accurately the exact site that it refers to. As the Agent for both applications is the same and the proposed developments appear to be closely connected, a

single report that relates to both together sites would be an acceptable alternative. Contaminated land conditions are therefore necessary.

### **Noise**

The proposed development is adjacent to a busy highway with some of the plots in close proximity to the boundary with the highway. There is a potential that road traffic noise could adversely affect future occupiers of the proposed development, therefore a condition requiring a noise assessment and any necessary noise mitigation measures is necessary.

### **Air Quality**

In an application of this nature it is expected that facilities for charging electric vehicles and other ultra-low emission vehicles is provided in accordance with the *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group.

### **Recommended Conditions**

#### **EVC1 *Electric Vehicle Charge Points - Condition***

Before the electrical systems to the plots are installed, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.

#### **EVF1 *Electric Vehicle Charge Points – Footnote***

- One electric vehicle charging should normally be provided for each residential unit with dedicated parking space.
- Charging points for single residential properties should meet the requirements specified in “*Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)*” by the Office for Low Emission Vehicles. Cable and circuitry ratings for the charging points of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps that can provide Mode 3 charging and has a Type 2 socket would be acceptable.

### **Noise**

Before construction work commences a report specifying the measures to be taken to protect the development from noise from road traffic shall be submitted to and approved in writing by the Local Planning Authority.

The report shall

- a) Determine the existing noise climate
- b) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development
- c) 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.

## **Contaminated Land**

### **CLC1 *Submission of a Preliminary Risk Assessment (Phase 1 Report)***

Groundworks 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 2 Report)*** Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (CLC1) groundworks 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) groundworks 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 groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. 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 - Condition***

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. No part of the site shall be brought into use until such time as the remediation measures have been completed for that part of the site 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. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

### **CLC 7 *Contaminated land - Footnote***

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.

<b>Date:</b>	4 Oct 2018	<b>Officer:</b>	Richard Hume 01484 221000
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