

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2019/93444 - land at former, Batley & District Cottage Hospital, Transvaal Terrace, Carlinghow Hill, Batley		
Partial demolition of existing building, alterations to convert retained building to 20 apartments and erection of 20 dwellings (within a Conservation Area)		
Date Responded: 6 Dec 2019	Responding Officer: Richard Hume	Responding Ref: WK/201922385
Noise A separate consultation response regarding noise was sent on 18 Nov 2019. The response below is in addition to that previous response. The submitted plan “Existing and Proposed Hospital Plans” dated 30 Sep 2019 (Dwg No. 18001-D05-A) shows a proposed ground floor plan which has a gym located immediately adjacent to a bedroom and lounge of an apartment. I have concerns regarding the potential of noise from the use of the gym having an adverse impact on the future occupiers of the adjacent apartment. A condition is therefore necessary requiring the applicant to demonstrate how this potential noise issue can be addressed. Contaminated Land Parts of the site are identified as being land that is potentially contaminated from their former use (site reference 219/2 New Hall Quarry and 220/2 Electricity sub-station). A Geoenvironmental Appraisal by G&M Consulting dated June 2019 (ref: C316) has been submitted. This is a combined Phase 1 & 2 contaminated land report. The Phase 1 part of the report identifies the likely presence of an infilled quarry, and that mine working are likely to have occurred in shallow seams beneath the site. It also notes the onsite electricity sub-station. It considers that there are moderate risks from contaminated soils, particularly in the made ground and quarry infill, from the substation and the unidentified tank on site and also from ground gas from the infilled quarry and coal mining. The report recommends progressing to an intrusive Phase 2 report. The Phase 2 part of the report details an intrusive investigation of the site between April and June 2019 involving 12 trial pits, 11 boreholes with ground gas monitoring for 7 of these together with analysis of soil, leachate and ground water samples. Made ground at least to 6.5m deep was found in the vicinity of the former quarry and also near to buildings on the site but was thinner to absent in the NW third of the site beyond the former quarry. The sample analysis established that the made ground contains elevated concentrations of contaminants such as lead, arsenic and PAHs. The gas monitoring found slightly elevated carbon dioxide levels up to 3.7% with a flow rate of 0.2l/hr. The report concluded that the contaminated made ground soils present a risk and therefore recommends that for soft landscaped areas over the made ground a clean cover system is provided. Hard landscaping and buildings will break the pathway in other areas. From the gas monitoring the reports concluded that the site should be classified as Green, requiring no gas protection measures but because the Coal Mining Risk Assessment recommends gas		

protection measures it upgrades the site to Amber 1 classification and therefore requiring gas protection measures for buildings.

The ground gas monitoring comprised of 6 monitoring visits over 2 months and 21 days. This falls short of the frequency and monitoring duration recommended in guidance referred to in the report, 9 visits over 6 months is considered to be more appropriate. However, because of the proposal to classify the site as Amber 1 and provide gas protection measures appropriate to this classification further monitoring will not be required.

It is noted that page 16 the report advises that elevated concentrations of lead and arsenic at were found in some samples of natural soils at BH04 & BH08 but the recommendation for clean cover is only for areas over the made ground. There appears to be a need for some remediation of some areas with natural soils. This needs to be addressed in a remediation strategy.

Because the submitted report identifies contamination on the site that presents a risk and therefore requires remediation, contamination land conditions are necessary.

Electric Vehicle Charging Points (EVCP)

An Electrical Charging Points and Bin Stores plan by Kufic dated 7 Oct 2019 (Dwg. No. 118001-D16-A) and a Pod Point manufacturer's leaflet have been submitted. The plan shows charging points are proposed at each of the 20 houses. The Pod Point information show a charger that can provide mode 3 charging with either a 3.6kW (16A) or a 7kW (32A) output and an option of a type 2 socket or a Type 1 or 2 gun on a captive cable.

The submitted information provides no proposals for providing EVCPs at the parking spaces to be used for the proposed 20 apartments. We would expect that facilities for charging electric vehicles and other ultra-low emission vehicles are provided in accordance with the National Planning Policy Framework and *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group. This guidance recommends that charging facilities are required for each residential unit with a dedicated parking space; that would therefore include the apartments.

The details regarding the proposed charging points are unclear, the exact specification of what is to be provided is required. A condition requiring charging points is therefore necessary.

External Artificial Lighting

It is assumed that the car parking to the proposed apartments will be provide with artificial lighting which may have an adverse impact on existing properties as well as new properties within the development. A condition regarding the lighting to the car park is therefore necessary.

Construction Method Statement

A Construction Method Statement by Addison Planning Consultants Ltd dated 10 October 2019 has been submitted. This considers a number of aspects relating to the construction phase of the development including the times of construction, air quality and noise and vibration which are within the remit of Environmental Health. The proposals regarding these are largely satisfactory considering the size of the development. I consider that a condition is necessary requiring the construction phase of the development to be in accordance with this statement. There are other aspects of the statement that are outside the remit of Environmental Health and may be subject to comments from other consultees.

Recommended Conditions

Additional Noise condition

NC8 *Noise Report required for proposed noise generating use close to noise sensitive premises - Condition*

Before construction work at the existing hospital building commences, a noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:-

1. an assessment of all of the likely noise emissions from the proposed gym including noise from use of all the types of equipment to be used and also from any music that will be played in the gym
2. a written scheme of how the occupants of the adjacent noise sensitive apartment will be protected from noise from the proposed gym for all times of day that the gym can be used including details of all necessary noise attenuation

The gym and adjacent apartment shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

CLC3 *Submission of Remediation Strategy - Condition*

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.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework

CLC4 *Implementation of the Remediation Strategy - Condition*

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.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework

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 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.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework

CLC 7 Contaminated land - Footnote

All contamination reports shall be prepared in accordance with *Model Procedures for the Management of Land Contamination – Contaminated Land report 11* (CLR11), National Planning Policy Framework (NPPF) and the Council's Advice for Development documents or any subsequent revisions of those documents.

EVC1 Electric Vehicle Charging Points - Condition

Before the electrical system is 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. The scheme shall meet at least the following minimum standard for numbers and power output:-

- A Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) for each residential unit that has a dedicated parking space
- One Standard Electric Vehicle Charging Point for every 10 unallocated residential parking spaces

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. Charging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP24 and LP51 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.

EVF1 Electric Vehicle Charging Points – Footnote

- A Standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW). A 32A (7kW) is however more likely to be futureproof
- Standard charging points for single residential properties that meet the requirements specified in the latest version of “*Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)*” by the Office for Low Emission Vehicles will be

acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 sockets would be acceptable.

- For the apartments, if Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.

LC1 External Artificial Lighting - Condition

Before the installation of external artificial lighting commences a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:-

- a) The proposed hours of operation of the lighting
- b) The location and specification of all of the luminaires
- c) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.
- d) The predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity.
- e) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the illuminated area
- f) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme.

Reason: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with part 2 and 15 of the National Planning Policy Framework and **xxxxx** of the Local Plan

LF1 Artificial lighting - Footnote

The proposed design levels of illuminance should be shown to be appropriate for the intended use by reference to appropriate guidance. Generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with *the "Guidance Notes for the Reduction of Obtrusive Light"* by the Institution of Lighting Professionals: 2011 www.theilp.org.uk. The predicted levels of stray light must not exceed the recommended maximum levels given in Table 2 of this guidance for an Environmental Zone E3.

Construction Method Statement

Construction activities for the development shall be in accordance with parts 7.1.1 (i) hours of construction 7.2 Air Quality and 7.3 Noise and Vibration of the Construction Method Statement by Addison Planning Consultants Ltd dated 10 October 2019.