Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2020/91807 - Former North Bierley Waste Water Treatment Works, Oakenshaw, BD12 7ET		
Reserved matters application pursuant to outline permission no. 2016/92298 for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) (Phase 2)		
Date Responded: 06 Aug 2020	**Responding Officers:** Natalie Heaney (Contaminated Land) Mohammed Nasim (Noise) Richard Hume (Light & E V Charging Points)	**Responding Ref:** WK/202018069

Contaminated Land

In our previous response dated 10th July 2020 in relation to discharge of conditions for the related outline application we assessed a Phase II Site Investigation report by Curtins dated 3rd December 2019, (ref: 065646-CUR-00-XX-RP-GE-001) and recommended conditions in relation contaminated land. Specifically, we requested further information relating to ground gas migration and cyanide concentrations at the site. Since then we have received further information which demonstrates a low gas migration risk to site users therefore no gas mitigation measures are required. We also received a revised screening criterion for commercial land use, which demonstrated a low risk from cyanide on site. In light of the additional information received, the Phase II report was deemed satisfactory and we agree that contaminated land remediation measures are not necessary in relation to the proposed development,

This application is relevant to Phase 2 of the development and only relates to part of the original outline application site. It appears the same contaminated land reports covering the whole site have been resubmitted for this application. As such, no further new information has been received for review. Although it is agreed that remediation measures are not necessary, unexpected contamination being encountered during the construction of the development cannot be ruled out, therefore a condition relating to this is necessary.

Noise

The outline application for this development included two conditions relating to noise, condition 28 relating to the control of noise from fixed external plant and condition 29 requiring the applicant to demonstrate that the site layout and landscape would provide acoustic screening of at least 5dB. Condition 29 related mainly to the parts of the outline application site area that were to be located closest to the residential premises at Cliff Hollins Lane and is not particularly relevant to this current application for just part of the outline application site area.

Nevertheless, the applicant has submitted a Noise Assessment authored by Hoare Lee undated (Ref. M606 Bradford DOC-XXXXX-XX-AM-20200528). The author states that the location of the warehouse building in relation to the service yard will provide significant screening to the nearest dwellings located on Bradford Road to the West of the development and that attenuation in excess of 15dB reduction can be expected because of this. The report also advises that the site topography will provide natural barrier screening to the properties at

Cliff Hollins Lane with further screening from buildings if and when other parts of the development are completed.

The report strongly indicates that noise from vehicle movements at the site is unlikely to have any adverse impact on noise sensitive premises in the vicinity. It is therefore not necessary to repeat the original outline application condition No. 29 for this reserved matters application. The report provides no details regarding noise from fixed plant at the site, which may have the potential to have an adverse impact on occupiers of nearby noise sensitive premises, therefore the original condition No. 28 is still necessary for this application.

Electric Vehicle Charging Points (EVCPs)
The following information has been submitted regarding the requirement in the original consent to provide EVCPs

- Proposed Site Parking Plan B1/B2 Parking Arrangement by HTC Architects dated May 2020 (ref: Job 2454 Dwg. P403 Rev. A)
- Fastcharge Floor Mounted Electric Vehicle Charging Units manufacturer's information
- Design and Access Statement HTC Architects

The plan shows a total of 191 parking spaces within the site and the position of 5 EVCPs (labelled EV 1-5).

The Fastcharge information details a FNC3 charging point that incorporates two 3.6kW (16A) charging points that provide Mode 3 charging via Type 2 sockets therefore making a proposed total of 10 charging points.

This information is confirmed in the Design & Access Statement which also advises that provision will be made for the future installation of an additional 20 electronic vehicle charging points and that an additional 116 parking spaces could be made available in the yard.

The proposed charging points meet the required specification for a standard charging point and are therefore acceptable. The proposal to provide 10 charging points initially with provision to provide up to 20 more in the future is also acceptable, even considering the possible additional of another 116 parking spaces. However, there are no proposals provided regarding what the trigger points would be for the provision of additional charging points. This information is necessary therefore a condition regarding EVCPs is still necessary.

Artificial lighting
The following information has been submitted regarding proposals for artificial lighting at the site.

- Lighting strategy by Loveday Lighting Limited dated 10 June 2020 (ref: LL1171-001) with supporting documents for:
- Access Road and Rear HGV
- Overspill + Office Car Parks
- Street Lighting Design Risk Assessment

All also by Loveday Lighting Limited dated June 2020 (ref: LL1171-001)

This response relates to the lighting information mainly in relation to amenity and does not consider the ecological aspects of the report which are outside the remit of Environmental Health.

The lighting strategy proposes various maintained average illuminance levels for different parts of the site
Access road – 15 Lux
Main & overflow car parks – 10 Lux
HGV area – 20 Lux

The proposals are shown to be in line with recognised guidance and the predicted levels of illuminance are consistent with design levels.

I have no objections to the proposed lighting subject to it being installed and maintained in accordance with the proposals.

Recommended Conditions

CLC6 Reporting of 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 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. Groundworks in the affected area 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 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 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.

NC10 - Noise from Fixed Plant & Equipment - Condition
The combined noise from all fixed mechanical services and external plant and equipment within the site shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed 5dB below background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

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:

- One Standard Electric Vehicle Charging Point (of a minimum output of 16A/3.5kW) for every 10 unallocated commercial 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.
Reason: In the interest of supporting and encouraging 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 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.
- At non-residential developments, the requirement for one electric vehicle charging point for every 10 parking spaces may initially be reduced to one charging point for every 20 parking spaces with the remainder provided at an agreed trigger point.
- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. 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.