

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2020/93105 - Land adj Lockwood Road (A616) and Crowther/Albert Street Intersection

Highway development works to realign Lockwood Bar junction at Crowther Street, between Lockwood Road and Albert Street, with new pedestrian crossing facilities, removal of on-street car parking, improved bus stop facilities and public realm enhancements to Lockwood Road frontage

Date Responded: 05 Jan 2021	Responding Officer: Mohammed Nasim (Noise) Natalie Heaney (Contaminated Land) Rebecca Muff (Air Quality)	Responding Ref: WK/202030961
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Noise

A Noise Impact Assessment dated 21 August 2020 authored by Environmental Noise Solutions Ltd Ref: NIA/9094/20/9125/v1/Lockwood Bar, Hudds has been submitted. The assessment considers the likely impact on the nearest noise sensitive receptors (NSR) which have the potential to be affected by the increased noise arising from the proposed works. The NSRs considered are:

- NSR1 - A first-floor apartment to the North of the Scheme (opposite) at 228 Lockwood Road
- NSR2 - Single aspect (facing Albert Street) dwellings to the West of the Scheme at 191-199 Lockwood Road
- NSR3 - Rear elevations of dwellings at 209 - 219 Lockwood Road
- NSR4 - Rear elevations of dwellings at 201 - 207 Lockwood Road
- NSR5 - Mount Pleasant Primary School

Noise monitoring was carried out in May 2020 but this was during the early part of the COVID-19 lockdown so the assessment was also based on known traffic flow data.

The assessment predicts that in the short term the noise impact on NSRs 1, 3 & 5 would be either minor or negligible and at NSRs 2 & 4 it would be moderate. And in the long term the noise impact on NSR 4 reduces to minor but at NSR 2 it remains as moderate. These are compared to the likely noise impacts if the scheme does not go ahead which are predicted to be negligible at all of the NSRs.

With respect to altered highways, Regulation 4 of the Noise Insulation Regulations 1975 (NIR) (as amended) provides authorities with discretionary powers to undertake or make a grant in respect of the cost of undertaking noise insulation work in or to eligible buildings, subject to meeting certain criteria given in the Regulation. The assessment considers that NSR2 and NSR4 fulfil the criteria detailed in the NIR and would meet the requirements for a discretionary grant in respect of the cost of undertaking noise insulation work.

It is therefore necessary to ensure that the residential properties at NSR 2 and 4 that will be adversely affected by noise from the development are provided with noise mitigation measures as prescribed in the Noise Insulation Regulations 1975.

Contaminated Land

A Preliminary Site Assessment report by Curtins dated 22nd May 2020 (ref: 076357-CUR-00-XX-RP-GE-001) has been received. I have read the report supplied by the applicant.

From the Phase I Report, it is evident that historical potentially contaminative land uses on the site (and/or adjoining land) may impact the proposed development. Notably, the site may have underground storage tanks believed for petrol and diesel, which need further assessment. The report recommends that an intrusive investigation is required to observe ground conditions. Samples will also be sent for laboratory analysis to assess contamination. I agree with the Phase I report that a Phase II investigation is required.

Furthermore, this site has been identified on our mapping system as potentially contaminated land due to its previous use as a works and warehouse (site reference 621/9). Contaminated land conditions are therefore necessary.

Air Quality

An Air Quality Assessment has been submitted by Redmore Environmental (Ref: 3619.1) (Dated 18th August 2020) in support of an application to realign Lockwood bar junction at Crowther Street.

The report details an air quality assessment based on techniques detailed in DRMB (Design Manual for Roads and Bridges) and ADMS Roads dispersion model. Dispersion modelling was undertaken both with and without the proposals in place, to predict pollutant concentrations of NO₂ and PM₁₀ from the highway network at various sensitive receptor locations across the area. For both scenarios 2019 was the baseline year with a future year of 2022, the completion year of the new highway realignment, the modelled results were verified using local monitoring data. The report concludes that the proposals will have a slight positive impact on air quality with a reduction in NO₂ concentrations at 9 of the 34 sensitive receptor sites and with a negligible impact at the remaining locations. Whereas, for PM₁₀ concentrations it was predicted there will be a negligible impact at all sensitive receptors. Therefore, based on the Institute of Air Quality Management Guidance (IAQM) the overall significance of air quality impacts because of the road realignment was determined as not being significant.

Having assessed the report, I agree with the methodology and conclusions of the Air Quality Assessment and therefore, conditions regarding air quality are not necessary.

Recommendations

Noise

Provision for noise mitigation measures shall be provided in accordance with the Noise Insulation Regulations 1975 (as amended) for residential properties at:

- NSR2 - 191-199 Lockwood Road (Single aspect (facing Albert Street) dwellings to the West of the Scheme) and
- NSR4 - 201 - 207 Lockwood Road (Rear elevations of dwellings)

CLC2 Submission of a Phase 2 Intrusive Site Investigation Report - Condition

Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and 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

CLC3 Submission of Remediation Strategy - Condition

Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2) further 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 guidance in *Land Contamination Risk Management (LCRM)*, National Planning Policy Framework (NPPF) and the Council's Advice for Development documents or any subsequent revisions of those documents.