

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2020/93527 - 6 Woodlea Avenue, Marsh, Huddersfield, HD3 4EF
Erection of cabin for business use (modified proposal)
**Date Responded:
01 December 2020**
**Responding Officer:
Mohammed Nasim**
**Responding Ref:
WK/202032218**
Comments

The applicant proposes to use the structure to run a small home beauty business. The area is predominantly residential with likely low background noise levels and in the application, the applicant refers to some machinery to be used in the course of their business. It is my opinion that if this is the only equipment used, then it is unlikely to raise any background noise levels or cause loss of amenity to immediate neighbours.

Aside from standard business hours, the applicant proposes to run the business until 2030hrs on Thursdays only. A condition is recommended to control the hours of use to protect the amenity of immediate neighbours.

Reference is made to the feasibility of connecting the structure to the existing drainage system and this will need to be clarified as it is desirable to require the applicant to demonstrate that adequate provision for foul drainage is feasible before determining the application. A condition is recommended if this is the case.

Recommended Conditions
HUC1 Hours of Use Open for Customers - Condition

The use hereby permitted shall not be open to customers outside the hours of

- 0900 to 1800 Monday to Wednesday and Friday and Saturday and
- 0900 to 2030 on Thursdays only
- No business activities shall take place on Sundays or Bank Holidays

Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

STA1 Adequate Provision for Foul Drainage – Before determining the application

It is understood that a mains drainage system is not available for the development. No detailed information has been provided regarding the proposals for providing an adequate system of foul water drainage which will be required by the building regulations. To ensure that it is feasible for the building regulations to be met and also avoid the possible need for a further planning application relating to the construction of a septic tank it is recommended that

before determining the application the applicant provides detailed information to show how a satisfactory foul drainage system is to be provided for the proposed development. The submitted information needs to demonstrate that the requirements of The Building Regulations 2010 Approved Document H, Drainage and Waste Disposal can be met and if a small sewage treatment plant (i.e. septic tank or package treatment plant) is proposed that the “General binding rules for small sewage discharges” can also be met. The details must therefore include the following information:

- a) The location of the tank (which must not be so near to any inhabited building as to be liable to become a danger to health or a source of nuisance (a minimum of 7m is required but over 20m and down slope is preferable) or in an area where there is a risk of flooding)
- b) The discharge details for the tank (which must not present any risk of contamination to any watercourse, underground water or drinking water supply)
- c) Details showing how adequate means of vehicular access will be provided to allow the tank to be periodically emptied and maintained
- d) Calculations demonstrating that the tank will be of adequate capacity for the highest number of persons that may use the tank
- e) If an existing tank is to be used, details of its condition / state of repair demonstrating that it is operating correctly and is impermeable to liquids
- f) Details of the necessary porosity and percolation tests carried out to establish the suitability of land that is to be used for any soakaway/land drainage of effluent.

STA Adequate Provision for Foul Drainage - Footnote

Specialist advice should be sought for the design and installation of a small sewage treatment system which should meet the relevant standards. These are currently:

- BS EN 12566:2016 - Small wastewater treatment systems for up to 50 PT.
- BS 6297:2007 +A1:2008 - Code of practice for design and installation of drainage fields for use in wastewater treatment

Any discharge from a waste-water treatment system is likely to require a consent from the Environment Agency who may need to be consulted on the application

CSC1 Construction Site Working Times - Condition

Noisy construction related activities shall not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and **xxxxxx** of the Local Plan

CSF1 Construction Sites working times – Footnote

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a

statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.