

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2020/93742 - adj Hebble House, 10 Hebble Court, Thornhill Lees, Dewsbury, WF12 0AY		
Erection of 3 detached dwellings		
Responding Date: 25th May 2022	Responding Officer: Natalie Heaney	Responding Ref: WK/202037718
Environmental Health have been reconsulted due to the submission of new information relating to contaminated land and electric vehicle charging points. Contaminated Land To date Environmental Health have commented on the following documents: • a Coal Mining Risk Assessment report by Geoinvestigate Ltd, dated 27 November 2020 • a letter titled '<i>Drilling Investigation at Slaithwaite Road, Thornhill Lees, Dewsbury</i>' by Abbeydale dated 16th June 2005 (ref: P JL/324001let1) • Phase I & II Geo-Environmental Assessment by Environmental Protection Strategies Ltd, dated 16th November 2021 (ref: UK21.5618) • Phase I & II Geo-Environmental Assessment by Environmental Protection Strategies Ltd, dated 2nd January 2022 (ref: UK21.5618 – Issue 2) In our most recent response dated 25th March 2022, we rejected the Phase I & II Geo-Environmental Assessment by Environmental Protection Strategies Ltd, dated 2nd January 2022 (ref: UK21.5618 – Issue 2) as we considered a lack of information relating to the possible mine entries on or off-site. Since then, a letter from EPS dated 31st March 2022 (ref: UK21.5618) has been received. The letter provides further justification to support the upgrade to CS2 gas protection measures and we are, therefore, now satisfied with the information submitted. Our recommendations are therefore revised and now relate to the submission of a remediation strategy and the subsequent phases of development. Electric Vehicle Charging Points The applicant has since submitted the following documents in support of the application: • An Easee One dated sheet (no date, no reference) • An Electric Vehicle Charging Points Location Plan (no date, no author no reference) The charging point proposed has a fully dynamic charging power 1.4–7.4 kW with a Type 2 cable. It is unclear whether this supports Mode 3 charging. However, the location plan shows that the applicant proposes to install 1 charging point at each of the three dwellings. This is generally satisfactory; however, we require the applicant to confirm whether the proposed charging point meets our minimum requirements, i.e. it can provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 socket outlet. Until we receive further information showing that the proposed charging points meets this		

specification, then our earlier recommendations for a charging point condition must remain.

Recommended Conditions

Our recommended conditions are now as follows:

NC7 Ventilation of habitable rooms if windows need to be kept closed - Condition

Before construction commences, a ventilation scheme for rooms where windows need to be kept closed to prevent excessive noise levels shall be submitted to and approved in writing by the Local Planning Authority. The ventilation scheme shall provide the following information -

- Identify which rooms of which plots referenced back to the approved Noise Assessment require a ventilation system
- The acoustic specification of the proposed ventilation system demonstrating that when operated it will not cause indoor noise target levels to be exceeded
- The ventilation Scheme must demonstrate how habitable rooms of the development shall be provided with sufficient ventilation to help control thermal comfort and avoid over heating during hot weather without the need to open windows. This should include details of the air intake location and any summer bypass for any heat recovery system including a calculation for air changes/hour. A Standard Assessment Procedure (SAP) assessment would be acceptable to demonstrate that a risk of overheating is minimised.

All works which form part of the approved scheme shall be completed prior to occupation of the aforementioned plots and retained thereafter.

NF7 - Footnote to accompany condition NC7

A ventilation scheme that meets the performance specification given in Part 6 of Schedule 1 of the Noise Insulation Regulations 1975 is likely to be acceptable. Acoustic trickle ventilation alone is unlikely to provide sufficient ventilation to help control thermal comfort without the need to open windows and would therefore not be acceptable.

BC1 Acoustic Barrier - Condition

Before the development is brought into use, details of an acoustic barrier (as recommended in the Assessment of the Noise Climate at Hebble Court dated 21st of October 2021 Ref APF/C/AFA769) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include -

- A plan showing the location of the barrier
- The minimum height of the barrier relative to the adjacent ground level
- The construction specification of the barrier including the barrier support structure, the barrier material, the minimum barrier thickness, the minimum density of the barrier material and the details where the barrier meets the ground.

The use hereby approved shall not commence until the construction of the acoustic barrier has been completed and the barrier shall be retained thereafter.

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 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)*
- BS 10175:2011+ A2:2017 *Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020* by the Yorkshire and Lincolnshire Pollution Advisory Group

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 providing a continuous supply of at least

16A (3.5kW) for each residential unit that has a dedicated parking space

- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of residential parking spaces that are not allocated to specific dwellings (i.e. Visitor Parking)

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 LP20, LP24 and LP47 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) and up to 32A (7kW). The higher output is 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 socket outlet would 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.

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 **xxxxx** 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.