

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2020/92067 - former Stile Common Infant & Nursery School, Plane Street, Newsome, Huddersfield HD4 6DF		
Erection of 30 dwellings		
Date Responded: 14 Aug 2020	Responding Officer: Natalie Heaney (Contaminated Land) & Richard Hume	Responding Ref: WK/202020474
<p>Contaminated Land</p> <p>A Phase 1: Desk Study by Solmek dated Nov 2019 (ref: S190939) and Phase 2: Site Investigation by Solmek dated Apr 2020 (ref: S190939/SI) have been submitted. I have read the reports supplied by the applicant. The reports include geo-technical information which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the reports.</p> <p>The Phase I report begins by providing an appraisal of the on-site and offsite history and surrounding land uses since 1854. The site has been used as a school since c.1892 but at present, no buildings are on site. The underlying geology is reported as Pennine Lower Coal Measures and the development is within a coal mining affected area. The Halifax soft seam is situated beneath the site c.35 m below ground level and as was last work pre-1904. Possible contamination risks identified in the preliminary conceptual model included ground gas, made ground (metals, slag, coal etc.), asbestos, agricultural related-organic contaminants, fuel and PCBs. The Phase 1 report concluded by recommended an intrusive investigation to include soil testing across the site and ground gas monitoring for 6 intervals over 3 months. I generally agree with the Phase I findings and find the report satisfactory.</p> <p>Continuing from the Phase I report, the Phase II report aimed to determine the nature and extent of contamination at the site. The site investigation included 5 boreholes, 5 trial pits and four samples were sent for laboratory analysis. Made ground was found across the site between 0.2 m and 0.7 m below ground level. Localised hotspots of contamination were identified at TP2, TP4 and BH4 where the identified contaminants included arsenic, PAHs and TPH which would require remediation.</p> <p>Additionally, 3 gas monitoring boreholes were installed to assess the risk from ground gas. The Phase I report recommended a monitoring regime of 6 intervals over 3 months. However, the submitted report does not include any gas monitoring results and it is stated that these will be supplied in an addendum. The submitted Phase I report and subsequent Phase II report are dated with enough time for the full set of gas monitoring to have been undertaken. Incomplete reports which fail to address all the risks identified from the Phase I preliminary conceptual model cannot be accepted, therefore I deem this Phase II report unsatisfactory. It is also questionable whether just three proposed gas monitoring wells will be sufficient for a site of this size. If only three monitoring wells are used then the applicant will need to demonstrate that they are sufficient to characterise the ground gas situation of the site with an acceptable level of confidence. The Phase II report cannot be assessed until all information has been received. Contaminated land conditions are necessary.</p>		

Electric Vehicle Charging points

The proposed development is for 30 residential properties with allocated parking spaces for each property. In an application of this nature it is expected 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. A condition requiring charging points is therefore necessary

Nuisance from construction activities

The proposed development is close to existing residential properties and there is a potential for construction related noise, vibration, dust and artificial light to have an adverse impact on nearby residents. A construction environmental management plan is therefore necessary for the developer to demonstrate how adverse impacts will be minimised.

Recommended Conditions**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 (that part of) 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. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be 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

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

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 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.

- 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.

CEMPC Construction Environmental Management Plan - Condition

Prior to construction activities commencing a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries.
- Dust arising from all construction related activities.
- Artificial lighting used in connection with all construction related activities and security of the construction site.

The agreed plan shall be adhered to throughout the construction of the development.

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

CEMPF Construction Environmental Management Plan - Footnote

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

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00hours , Saturdays

With no noisy activities on Sundays or Public Holidays

Institute of Air Quality Management document "Guidance on the assessment of dust from demolition and construction" Version 1.1 2016 provided detailed information regarding dust control.

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.