

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2021/92009 - Union Mills, Tanyard Road, Milnsbridge, Huddersfield, HD3 4NB

Discharge of conditions 3 (preliminary risk assessment), 9 (drainage scheme), 10 (internal sound levels), 11 (ventilation scheme), 12 (flood evacuation plan), 13 (soft landscaping), 14 (construction environmental management plan), 15 (landscape and ecological management plan), 17 (bat roosting feature), 18 (electric vehicle charging), 19 (public open space), 20 (travel plan) and 21 (crime prevention) on previous permission 2018/90209 for change of use and alterations to mill to form 41 apartments (within a Conservation Area)

**Responding Date:
22 June 2021**
**Responding Officer:
Mohammed Nasim**
**Responding Ref:
WK/202116114**

Note - These comments relate to Conditions 3 10, 11 and 18 ONLY
Conditions 9, 12, 13, 15, 17, 19, 20 and 21 are outside of the remit of Environmental Health.

Comments
Condition 3 - Preliminary Risk Assessment

To discharge Condition 3, a Phase 1 Environmental Assessment by Mason Clark Associates dated May 2014 (ref: 12258L) has been received.

The Phase I report provides an appraisal of the site history and previous surrounding land uses, since the 1800s. The report identifies that the site has been part of Stanley Mills since the 1930s. The Phase I report then presents a basic preliminary conceptual model that identifies '*solid contaminants* and, '*liquid contaminants*' amongst several hazards that may impact the site. The report then concludes that an intrusive investigation is required and should include '*soil samples and test for heavy metals, pH, PAH and petroleum hydrocarbons*' and to '*establish if there are any unrecorded contaminants present on site from former use*'.

There are several issues with the report submitted. For clarity, our key concerns are addressed point-by-point below:

(1) Notably, the submitted Phase I report is dated 2014. It is plausible that the site conditions have changed since the time of writing and these may affect the contamination status of the site (e.g., fly tipping, burning of wastes, demolition etc). We consider that a new site walkover is required to confirm the validity of the information provided in the provided previous Phase I report.

(2) The preliminary conceptual model provided in the report is unsatisfactory. Our records indicate the site is located on, and adjacent to several historical land uses that have the potential to contaminate and impact the future development. It is unclear what it meant by '*liquid contaminants*' and '*solid contaminants*.' In addition, several potential source-pathway-

receptors appear to be missing or insufficiently addressed. Overall, we consider the conceptual model to be basic and as such further information is required.

(3) The report concludes that a Phase II report is required and that testing for heavy metals, pH, PAH, hydrocarbons will be undertaken. Given the site history and adjacent land uses including a chemical works, it is unclear why this does not include a more detailed testing schedule. Further justification is required in relation to the testing proposed.

Overall, we consider the report provided unsatisfactory as further information is required as detailed above.

Condition 10 - Internal Sound Levels

The applicant has submitted a Background Noise Assessment authored by Clover Acoustics Ltd dated 09 September 2020 Ref 4388-R1.

A baseline noise survey was carried out over a 24-hour period in order to assess the impact from noise sources at the proposed development. The survey was conducted at two monitoring positions (MP1 and MP2) covering a typical period commencing on Friday 14th August 2020. The report states that subjectively, the local acoustic environment is dominated by traffic noise from Tanyard Road with the adjacent river and weir being the dominant sources to the rear of site.

At MP1 to the front of the development, the daytime hourly equivalent continuous sound pressure levels at the proposed boundary ranged between 55dB $L_{Aeq,1hr}$ and 68dB $L_{Aeq,1hr}$ with an average level during the daytime period of 61dB $L_{Aeq,16hr}$. The night-time hourly equivalent continuous sound pressure levels at the proposed boundary ranged between 41dB $L_{Aeq,1hr}$ and 56dB $L_{Aeq,1hr}$ with an average level during the night-time period of 52dB $L_{Aeq,8hr}$. The 10th highest night-time individual noise event between the hours of 2300 and 0700 was 77dB L_{Amax} .

At MP2 to the rear of the development, the daytime hourly equivalent continuous sound pressure levels at the proposed boundary ranged between 52dB $L_{Aeq,1hr}$ and 60dB $L_{Aeq,1hr}$ with an average level during the daytime period of 55dB $L_{Aeq,16hr}$. The night-time hourly equivalent continuous sound pressure levels at the proposed boundary ranged between 50dB $L_{Aeq,1hr}$ and 52dB $L_{Aeq,1hr}$ with an average level during the night-time period of 51dB $L_{Aeq,8hr}$. The 10th highest night-time individual noise event between the hours of 2300 and 0700 was 67dB L_{Amax} .

Measured levels at both MP1 and MP2 exceed the permitted levels in BS8233 and mitigation would be required to ensure there is no loss of amenity to the occupiers of the development and Section 7 of the report gives specifications for the glazing performance required to achieve the criteria within BS8233. The report specifies the glazing performance requirement to the facades at both MP1 and MP2 for living rooms, dining rooms and bedroom areas. There is no external amenity space or balconies and as external levels outside bedrooms are in excess of the L_{Aeq} and L_{Amax} criteria, internal levels can be achieved with the glazing specified together with a suitable ventilation strategy. The report states that the internal noise levels offered in BS8233 would not be considered applicable under 'purge ventilation' conditions meaning the occupiers would not be able to open windows without being exposed

to high levels of noise and therefore, alternative ventilation will be required. This aspect is covered and addressed under condition 11.

The findings of the report are accepted.

Condition 11 - Ventilation Scheme

Section 7 of the Background Noise Assessment authored by Clover Acoustics Ltd dated 09 September 2020 Ref 4388-R1 makes reference to a Ventilation Strategy & Specification. In mitigating the noise, it states the internal noise guidance levels offered in BS8233 would not be considered applicable under 'purge ventilation' conditions and makes reference to Greenwood (ventilation equipment manufacturer) being consulted.

The applicant has submitted two technical drawings from Domus Ventilation dated 22 March 2021 Ref Opp61102 which show the mechanical ventilation installations to the first and second floors of the development with layouts repeated on floors two and three. It refers to HRXE-HERA and HRXE-HERA-OP which are Mechanical Ventilation with Heat Recovery systems from Domus Ventilation.

The drawings show the installation but no information is given on whether the ventilation equipment proposed will meet with the permitted internal levels specified in BS8233. It is critical the occupiers of the development have ventilation without being exposed to high levels of mechanical ventilation noise and this information will be required to ensure the installation is compliant with BS8233.

The ventilation Scheme must also demonstrate how habitable rooms of these apartments will be provided with sufficient ventilation to help control thermal comfort and avoid overheating 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.

Condition 18 - Electric Vehicle Charging

The applicant has submitted a technical drawing no. (100)50 - Car Charging Points Public Open Space (Pos) & Landscaping Details dated May 2021 Ref 2466 which shows 11 electric charging points but no specification is given on them.

To assist the applicant, the installed 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

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 a 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 and the installation must comply with all applicable electrical requirements in force at the time of installation.

Recommendations

Condition 3 - Preliminary Risk Assessment

I recommend this condition is not discharged as the information provided in support is unsatisfactory.

Condition 10 - Internal Sound Levels

I recommend this condition is not discharged until the glazing specified in the Background Noise Assessment authored by Clover Acoustics Ltd dated 09 September 2020 Ref 4388-R1 have been installed and confirmation of this is received.

Condition 11 - Ventilation Scheme

I recommend this condition is not discharged until it is shown that the ventilation system proposed can provide thermal comfort and confirm that it with the permitted internal noise levels within BS8233.

Condition 18 - Electric Vehicle Charging

I recommend this condition is not discharged until the exact number and specification for the Electric Vehicle Charging Points is submitted.