Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2021/93150 Lowdham Leisureworld, Crosland Hill Road, Crosland Moor, Huddersfield, HD4 5NU		
Residential development for 87 dwellings including demolition of existing buildings and ground works, provision of open space, landscaping and on-site infrastructure		
Date Responded: **28th October 2021**	**Responding Officer:** **Rebecca Muff – Air Quality** **Mohammed Nasim – Noise** **Natalie Heaney – Contaminated Land**	**Responding Ref:** **WK/202127160**

The site is located in Crosland Moor approximately 2 miles from Huddersfield Town Centre and is currently occupied by Lowdham's Leisureworld, a caravan and motorhome operator. The majority of the site is hardstanding and there are two adjoined buildings of stone and metal cladding used in connection with the business. To the north and east of the site there are predominantly residential properties, to the north-west is the former Black Cat (Standard) fireworks factory, now closed and proposed for residential development and to the southern boundary is Blackmoorfoot Road. Beyond that, is Wellfield Quarry. The application seeks full planning permission for the demolition of the existing commercial buildings and the erection of 87 houses with associated infrastructure, and public open space.

We have reviewed the application and the supporting information and make the following comments and recommendations.

Air Quality

We have reviewed the application in accordance with The West Yorkshire Low Emission Strategy (WYLES) – Technical Planning Guidance. This document divides applications into 3 impact types (Minor, Medium and Major) using specific criteria to determine the type. Actions and mitigation requirements are dependent on the development use class and which impact type it is classified as. Looking at the footprint of the site, we consider that the application will likely be classified as medium in terms of air quality, and dependant on the traffic volumes / compositions, the application may meet Major development criteria.

An Air Quality Assessment has been submitted by Stroma Built Environment (ref: 05-21-87740) (dated: July 2021). The assessment considers the impact of the development on air quality during the construction and operational phases. The pollutants modelled were nitrogen oxides (NOX) and particulate matter (PM10) and (PM2.5) using techniques detailed in Volume 11, section 3 of the Design Manual for Roads and Bridges (DMRB) and Defra's Local Air Quality Management (LAQM) Technical Guidance (TG16).

<u>Construction Phase</u>

A qualitative assessment of construction phase impacts was undertaken in accordance with the Institute of Air Quality Management (IAQM) Guidance on the Assessment of Dust from Demolition and Construction 2014. The assessment considers fugitive dust, and exhaust emissions from plant used on site, and construction vehicles, and has focused on demolition, earthworks, construction and track out.

The assessment determined the risk of dust impacts with no mitigation applied and concludes that there is a potential for fugitive dust emissions. It identified the risk of dust effects due to dust soiling and human health effects to be medium to high risk. However, it goes on to say

that these impacts can be reduced through the implementation of the suggested mitigation measures which are listed in Table 17, page 20, of the report Titled Mitigation of Construction Activities.

Operational Phase

The Atmospheric Dispersion Model System (ADMS- Roads) was used to predict the changes in pollutant concentrations as a result of the development. This used a baseline year of 2019 and a future year of 2023 with the proposed development in place. Two scenarios were used to assess the impact of the development on 8 future sensitive receptor locations within the development area. These were:

Scenario 1: the impact of existing emissions on the proposed development (2019)
Scenario 2: the future impact of traffic emissions on the proposed development (2023)

A projection of traffic data supplied by the client was used in the model, as well as Defra background concentrations for NO2, PM10 and PM2.5. To provide more confidence in the model predictions the model was verified against Kirklees Councils diffusion tube monitoring data.
The report concluded that predicted changes in pollutant concentrations as a result of the development at all future sensitive receptor locations would be below the national air quality objections for all pollutants modelled.

Air Quality Summary

The air quality assessment considers the impact of the development on air quality during the construction and operational phases. For the construction phase the report concludes that there will be a medium to high risk of fugitive dust emissions and that these can be controlled through the implementation of good mitigation measures. For the operational phase predicted changes in air pollution, due to of traffic emissions was modelled. It concludes that modelled pollutant concentrations as a result of the development would be below the national air quality objectives at all receptor locations.

Comment

In general, we find the air quality assessment unsatisfactory, and have concerns regarding the operational phase of the assessment as follows:

- For the operational phase the significance of emissions has been assessed against the Air Pollution Exposure Criteria (APEC) as detailed in the Air Quality and Planning Guidance written by the London Air Pollution Planning and the Local Environment (APPLE) working group. However, we would expect it to have been assessed in accordance with The West Yorkshire Low Emission Strategy – Technical Planning Guidance which is the foundation for Kirklees Councils Local Plan policies regarding air quality. The assessment has been undertaken in accordance with the WYLES guidance and the report updated to reflect this.

- The model adjustment factor appears to be high at 5.396, no explanation has been given for this and therefore requires further explanation. The verification factor is based on the best and most representative data available and a note has been included within the report explaining the verification factor further. Whilst the verification factor is higher than what we would usually expect, it is not uncommon for a factor of 5 to be

calculated and this factor demonstrates a worst case conservative approach. Furthermore, the RMSE was calculated to be 6.4 which is well within the acceptable parameters defined within TG16.

- A surface roughness of 1.5 metres has been used in the model, which is characteristic of a large urban area. The assessment does not indicate if the same surface roughness has been used for the meteorological data which was taken from Leeds Bradford Airport. The value used for Leeds Bradford Airport is characteristic of 'open grassland' in the model- the surface roughness of which is 0.02m (ie. open and flat). This has been included within the report for clarification.

- The assessment discusses predicted traffic flows; however, it doesn't mention the additional number of trips generated because of the development, nor does it consider the cumulative impact of other committed developments in the area and the impact this will have on air quality and existing and future sensitive receptors. Table 3 has been updated to show the breakdown of the data regarding the future baseline and the impact of the development on these figures. This has been referenced back to the WYLES guidance and how this traffic impact informs the type of assessment.

- The site is located close to Johnsons Wellfield Quarry, where stone milling is undertaken however, the assessment makes no mention of this or the potential impact that quarrying activities may have on the future development. The quarry is located to the southeast and the mining activities are beyond 200m of the proposed development. It is unlikely that the wind direction will impact the development. Furthermore the traffic associated with the quarry will be incorporated within the traffic data used and so a conservative approach has been applied.

Overall, we accept the methodology and concur with the conclusions and mitigation measures proposed for the construction phase of the assessment. However, there are too many uncertainties and omitted information as detailed above to provide us with confidence in the model outputs for the operational phase. As such we do not accept the Air Quality Assessment by Stroma Built Environment (ref: 05-21-87740) (dated: July 2021) and recommend that a revised Air Quality Assessment is submitted which addresses the points made.

Noise

The applicant has submitted a Noise Assessment authored by Environmental Noise Solutions Ltd dated 19th July 2021 Ref NIA/9788/21/9906/v2/Blackmoorfoot Road, Huddersfield Road. The report details:

- The methodology and results of the noise survey undertaken at the site
- The relevant noise and acoustics guidance and standards applicable to the site
- Recommendations for suitable facade, glazing, and ventilation sound insulation performance requirements

Noise monitoring was carried out between Thursday 20th and Friday 21st May 2021. The adopted noise monitoring positions (MP) were as follows:

- Position 1 – 1m from the facade of the existing building on the south corner of the site overlooking Blackmoorfoot Road. The microphone was positioned approximately 4m above the ground. Measurements at this location were considered to be facade levels.
- Position 2 – South corner of the site adjacent to Blackmoorfoot Road.
- Position 3 – Southeast edge of the site overlooking Blackmoorfoot Road.
- Position 4 – East corner of the site at the junction between Blackmoorfoot Road and Crossland Hill Road.
- Position 5 – Northwest corner of the site adjacent to the entrance of the fireworks packaging site.

Table 3.1 summarises the noise data for each measurement session, at each measurement position, and notes that the dominant source was road traffic. Reference is made to Coronavirus travel restrictions at para 3.3 which states data produced by the Department for Transport (DFT), show that during the time of the survey (May 2021), overall traffic volumes were circa 93% of typical flows. Using the methodology in the Calculation of Road Traffic Noise (CRTN), a 7% reduction in traffic volumes equates to less than a 1dB reduction in noise levels. Therefore, the noise levels during the survey are considered to represent 'normal' traffic flows and this is accepted.

Para 3.4 considers the noise from the Johnsons Wellfield Ltd quarry and stone milling site, the location of which is shown in figure 3.1, and states that noise emanating from the site was not noted to be a significant influence on the noise climate at the site over and above the prevailing road traffic noise. Measurements were undertaken to identify the key noise sources at the Johnsons Wellfield site and the associated noise levels of these activities and these are summarised in table 2. The site survey engineer noted that the stone sawing activities were faintly audible at the measurement position. However, that during periods of traffic flows, noise from these activities was insignificant relative to noise from vehicle passes.

Section 4 of the report looks at the industrial noise from the Johnsons Wellfield site and uses BS4142 to assess the likely impact. This is based upon the site operating hours of 0730hrs to 1700hrs Monday to Friday and 0730hrs to 1200hrs on Saturday and an assumption that the stone sawing activities could take place continuously for a full one-hour period. No information has been provided on any other activity from the Johnsons Wellfield site which may give rise to noise, and this will need to be clarified to ensure there is no loss of amenity through other activities on site.

Table 4.1 assesses the noise levels at MP1 and after applying a +3dB correction for intermittency, the assessment shows a +7db increase which is likely to be an indication of an adverse impact.

Section 5 looks at a noise mitigation strategy and table 5.1 shows the predicted external noise levels for the facades and gardens at the proposed development. Figure 5.1 shows the colour coded predicted levels and highlights the varying noise levels at the site. Para 5.2 looks at the specification for the façade sound insulation and specifies the glazing and ventilation requirements in order to meet with the requirements of BS8233. Table 5.2 specifies the minimum required sound reduction performance of the glazing and ventilation. This is on the assumption that the preferred ventilation strategy in this instance is for predominantly natural ventilation, with intermittent mechanical extract ventilation to the bathrooms/kitchen cooker hoods.

It is our opinion that acoustic trickle ventilation alone is unlikely to provide sufficient ventilation i.e. purge ventilation, to help control thermal comfort without the need to open windows and would therefore not be acceptable. It is unacceptable that building occupiers will be faced with the option of having to be exposed to either excessive noise or excessive heat and this is the situation that Kirklees requires to be addressed through the provision of an alternative ventilation system when windows need to be kept closed for noise mitigation reasons.

An alternative ventilation system would need to provide a level of ventilation to properties affected by excessive external noise, sufficient to replace the ventilation which would normally be provided by opening windows. Therefore, the system would be capable of helping to improve thermal comfort and reduce the risks of overheating. During any hot weather, the alternative ventilation system must be capable of drawing in cooling external air; any heat exchanges used for warming incoming air during cold weather must be capable of being bypassed during hot weather. Similarly, systems that draw in air from the roof-space of the building would need a bypass to allow air from the outside to be drawn in during warm weather.

The alternative ventilation scheme must identify which rooms require a ventilation system and the acoustic specification of the proposed ventilation system demonstrating that when operated it will not cause indoor noise target levels to be exceeded. Also, the alternative ventilation system must not compromise the sound insulation properties of the building envelope. It must demonstrate how habitable rooms 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) would be acceptable to demonstrate that the risk of overheating is minimised.

Para 5.3 looks at the external amenity and recommends that the gardens that are predicted to experience noise levels above 55 dB $L_{Aeq,T}$ are provided with a 2 m tall acoustic barrier at the boundaries that have direct line of sight to Blackmoorfoot Road. The recommended locations for these barriers are shown in Blue in Figure 5.3. It states that for an acoustic barrier of this type, the sound insulation of the barrier material must be sufficient such that the performance of the barrier is limited by the noise going over the barrier rather than direct transmission though the barrier itself. This is typically achieved where the mass per unit area is at least 13 kg/m2. Provided that the necessary mass per unit area is satisfied, the barrier material may take any practical form (e.g. close-boarded timber or blockwork). Where timber is preferred, barriers should be designed so that gaps do not develop between abutting panels through warping or shrinkage (e.g. through the use of cover strips). An appropriate construction for the acoustic fence is double-thickness solid timber as illustrated in Figure 5.2. The barrier should have no gaps or holes (cover strips should also be used to prevent gaps forming over time) and should be fully sealed at the ground (i.e. include a gravel board). With the provision of the above treatment, it would be expected that all gardens would experience noise levels below the upper guideline value of ≤ 55 dB $L_{Aeq,T}$ and in most instances below the lower guideline value of ≤ 50 dB $L_{Aeq,T}$.

The findings of the report are accepted but clarification is sought on whether there is any other noisy activity from the Johnsons Wellfield site which may lead to a loss of amenity if not identified and possibly mitigated against.

Conditions are recommended to ensure the development site meets with the requirements of BS8233, both internally and externally.

Contaminated Land
The application seeks permission for 87 properties. As such, the site is classified as a major development. The site has also been identified on our mapping system as potentially contaminated land due to former use as a quarry, depot and site associated with landfilling activities (our site reference 14/15). For these reasons, and contaminated land must be considered.

A Geoenvironmental Appraisal Report by Lithos dated March 2021 (ref: 349/2A) has been submitted in support of the application. The report is presented in a combined Phase 1/Phase 2 format and includes geotechnical information which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the report.

The Phase 1 aspect of the report is presented in Section 1 to Section 6, inclusive. A site walkover on the 22nd of January 2020 identified that the site was occupied by a caravan retailer and existing buildings make up much of the site. The report continues to provide information about site history and previous surrounding land uses, since the 1800s, which appear in line with our records. A comprehensive assessment of the environmental setting is also provided. Taken together, the Phase 1 aspect of the report concluded that there may be potentially contaminative land at the site (and/or adjoining land) which could impact the development and/or the environment and a site investigation is necessary. We are satisfied with the Phase 1 aspect of the report.

From Section 7 of the report, the Phase 2 intrusive investigation and results are presented. The fieldwork was undertaken in two phases, in February 2020 and January 2021 and included trial pits, boreholes, ground gas and groundwater monitoring and laboratory analysis of soil samples to determine whether contamination is impacting the site. The ground conditions identified were unsurprising given a site history associated with refuse tipping. The report details that a large amount of made ground was found to underlie the site (up to circa 22 metres deep). This was broadly split into three types, sub-base material, quarry infill and quarry arisings. No significant proportion of degradable materials was recorded. One sample taken for calorific testing (that contained ash and clinker) confirmed a low calorific value (1.8MJ/kg). As such the report concluded that the made ground is unlikely to combust.

Laboratory analysis of the made ground found that arsenic, lead and zinc exceeded the residential (with homegrown produce) assessment criteria indicating a potential risk to human health. Several instances of asbestos were also reported, including bundles of chrysotile fibres, fragments of insulation lagging and cement sheeting. The gravimetric analysis confirmed these samples contained between <0.001% w/w and 0.109% w/w asbestos. Accordingly, the report recommends that remediation will be necessary due to the inorganic contamination confirmed to exist on-site. In terms of organic contamination, a total of nine samples contained diesel range organic more than the assessment value. Consequently, benzo(a)pyrene and naphthalene concentrations were considered to further determine the risk from organic contaminants. No samples were found to exceed the respective assessment criteria for either compound, so the report concluded that no remediation for organic contaminants is necessary.

One round of ground gas and groundwater monitoring has been undertaken to date (completed 17th February 2021). Readings reported the peak carbon dioxide concentration as 1.3% v/v. No methane was detected, and flow rates were negligible. The report details that an assessment of the gas risk will be made on the completion of monitoring in August 2021.

The report concludes the extent of soil contamination is generally “mild”, but it is acknowledged that possibly more onerous contamination than that encountered to date is present due to former use. It is also detailed that further contamination may be present beneath areas that have been inaccessible for an investigation to date (e.g. due to the presence of buildings) and a post-demolition trial pit investigation will be necessary. A remediation options appraisal is also provided.

Contaminated Land Summary

Overall, the Phase 1 aspect of the report identified the potential for contamination at the site due to the sites former use/s including but not limited to, tipping activities and further work were recommended. The Phase 2 aspect of the report confirmed that deep made ground exists across the site and inorganic contamination was confirmed by laboratory analysis. In addition, preliminary data has been retrieved to characterise the ground gas regime, however, this is incomplete. Post-demolition works will be required to characterise the remaining parts of the site. Nevertheless, the results to date indicate that remediation will be necessary.

Comments

From the findings to date, contaminated land does not appear to significantly limit the ability to develop the site for residential use. However, we cannot accept the Phase II aspect of the report as there is incomplete ground gas data and several points that require additional clarification. As a result, we recommend that contaminated land conditions are necessary and must apply from the intrusive investigation and the following stages of development (remediation and validation).

We would expect any revised Phase 2 report or addendum to include and/or clarify the following:

1. The report has presented only one ground gas reading to date (February 2021) despite several references to ongoing monitoring and the report indicating that 12 monitoring visits were scheduled over 6 months. At the time of writing, additional information has not been submitted for consultation. As such we consider a potential source-pollutant linkage to remain unassessed. Additional ground gas and groundwater monitoring data is required.

2. The ground gas data presented in Appendix J refers to ‘NR’ and ‘ND’. The key suggests these abbreviations stand for not recorded and not detected. There are several instances of ‘NR’ i.e. not recorded and it is unclear why the ground gas was not recorded as opposed to not detected. Clarification is required.

3. The response zones for the ground gas wells are described as ‘*generally between 0.3m and 3.0m depending on the end depth of the borehole*’. However, the response zones do not appear to have been reported in the borehole logs or Appendix J. The depth of each response zone must be provided for each installation.

4. In Section 9.3.17 to 9.3.20 zinc contamination is discussed. Concerning a Lithos' derived zinc value for human health risk assessment, the report reads that '*the reported value is 2,170mg/kg, ten times greater than the potential phytotoxic concentration*'. Further explanation is required as to where this value is derived from and whether the bioavailable fractions of zinc in the affected soils have been determined.

5. There is reference to nine samples exceeding diesel range organic more than the assessment value. However, this does not appear to correspond with the information relayed in the tables titled 'Summary of degree of soils contamination (organics)' that indicates four samples exceeded the assessment value. Clarification is required.

Loss of amenity caused by the construction of the development
Because of the large scale of the development and the close proximity of residential properties to part of the site boundary there is a significant potential for loss of amenity to the occupiers of nearby properties from noise, vibration, dust and artificial light from the construction phase of the development. Therefore, it will be necessary for a condition for a Construction Environmental Management Plan (CEMP) to minimise adverse impacts on occupiers of nearby properties.

Electric Vehicle Charging Points (EVCPs)
The application is for 87 residential properties, and 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.

The annotation on the submitted plan by Redrow *BRCM- 16-02-07 - Electric Vehicle Charging Points*, (dated: 04.06.21) details the EVCP scheme. The proposal is to provide one Podpoint charging point per property, with a Mode 3, 32amp current rating, specification. The charging points are to be either externally mounted or installed in garages, and their locations in respect to the houses is shown on the submitted plan.

We accept the proposed scheme for the electric vehicle charging points submitted by Redrow subject to a condition.

RECOMMENDED CONDITIONS

AQIAC 1 Air Quality Impact Assessment – Impact of new development on the area- Condition
Before the development is brought into use a full Air Quality Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

- determine the impact that the development will have on air quality taking into consideration any cumulative impact from other local developments
- include a calculation of the monetary damages from the development and
- include a fully costed mitigation plan detailing the proposed low emission mitigation measures. The monetary value of the damages should be reflected in money spent on the low emission mitigation measures

The approved low emission mitigation measures shall be implemented before the development is brought into use & retained thereafter.

Reason: For promoting sustainable development and transport and conserving the natural environment in accordance with parts 2, 9 & 15 of the NPPF and LP20, LP24, LP47 of the Local Plan

AQIAF1 Air Quality Impact Assessment - Footnote
For anything to be considered as acceptable as part of the approved low emission mitigation measures it must be something that is to be provided in addition to what is normally provided at a development and also is not otherwise required. For example, the costs of providing footpaths and standard electric vehicle charging points would not be accepted as part of the costed mitigation measures.

NC1 Implement Agreed Noise Mitigation Measures – Condition
Before the development is first brought into use all works which form part of the sound attenuation scheme as specified in the Noise Assessment authored by Environmental Noise Solutions Ltd dated 19th July 2021 Ref NIA/9788/21/9906/v2/Blackmoorfoot Road, Huddersfield Road -

a. shall be completed; and
b. written evidence to demonstrate that the specified noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

If it cannot be demonstrated that the noise levels specified in the aforementioned Noise Report have been achieved, then a further scheme shall be submitted for the written approval of the Local Planning Authority incorporating further measures to achieve those noise levels.

All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned noise levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use

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 these plots 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.

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 Noise Assessment authored by Environmental Noise Solutions Ltd dated 19th July 2021 Ref NIA/9788/21/9906/v2/Blackmoorfoot Road, Huddersfield Road, 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**.**

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 by a suitably competent person 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 by a suitably competent person 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 by a suitably competent person 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 by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework 2019. Reports must be prepared in accordance with the following guidance:

- *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

CEMPC Construction Environmental Management Plan - Condition
No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Construction Management Plan shall provide details of:

a) timetable of all works
b) vehicle sizes and routes, times of vehicle movements, identify the location of any HGV waiting areas and include details of the management of said areas
c) the parking of vehicles of site operatives and visitors
d) details and location of signage
e) loading and unloading of plant and materials
f) storage of plant and materials used in constructing the development
g) measures to be taken to minimise the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site, including the provision of adequate wheel washing facilities within the site
h) measures to control and monitor the emission of dust and dirt during construction
i) a Site Waste Management Plan, detailing recycling/disposing of waste resulting from demolition and construction works

j) mitigation of noise and vibration arising from all construction related activities to (these details should also include suitable restrictions on the hours of working on the site including times of deliveries)
k) artificial lighting used in connection with all construction related activities and security of the construction site
l) site manager and resident liaison officer contact details (including their remit and responsibilities); and
m) details of engagement with local residents and occupants or their representatives.

The development shall be carried out strictly in accordance with the approved CEMP and no change there from shall take place without the prior written consent of the Local Planning Authority.
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 13.00 hours, 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 2014 provides 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.

EVC2 Installation of Agreed Electric Vehicle Charging Points – Condition
Before the development is brought into use the dedicated facilities that will be provided for charging electric vehicles shall be installed and made operational in accordance with those detailed on the plan BRCM -16-02-07 – Electric Vehicle Charging Points by Redrow (dated 04.06.21). Once installed the charging points 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.