Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2021/93674 Greenhead College, Greenhead Road, Huddersfield, HD1 4ES		
Partial redevelopment of Greenhead college including demolition and making good, erection of 2 and 4 storey buildings, reconfiguration of parking and access arrangements, reconfiguration of sports provision and other associated external works (Within a Conservation Area)		
Date Responded: **7th December 2021**	**Responding Officers:** **Mohammed Nasim – Noise** **Natalie Heaney – Contaminated Land** **Rebecca Muff – Air Quality**	**Responding Ref:** **WK/202140632**

In our initial consultation dated 9th November 2021 we reviewed the submitted information and recommended conditions for: Kitchen Extract Scheme, Contaminated Land, Ground Gas, Noise, External Artificial Lighting, Hours of Use, Construction Environmental Management Plan, Electric Vehicle Charging Points and Pollution Prevention.

Since our previous comments of 9th November, further information has been submitted which has been reviewed and we make the following comments and recommendations, which supersedes our previous comments for these areas. Conditions relating to the Kitchen Extract Scheme, Installation of the Agreed External Artificial Lighting (Car Parks, Security Lighting and Walkways), Construction Environmental Management Plan, and Pollution Prevention remain unchanged.

Noise

Further to our comments dated 09 November 2021, Apex Acoustics have responded in the submitted document '*Apex Acoustics responses to EHO noise related comments - v25112021'* dated 25 November 2021 clarifying the points and concerns raised.

Noise Survey

We sought clarity on the noise measurements and Apex state they were carried out at the site on 15/03/21. The background noise levels included in Appendix B of the Apex NIA report are taken from the Hepworth noise assessment report. Since the measurement position used for the Hepworth noise survey was set well back from Greenhead Road, Park Avenue and Park Drive South, being carried out during September 2020 when road traffic levels were likely to be below typical levels due to Covid-19, it was felt that the use of these background noise level measurements at dwellings which are typically closer to roads than the measurement position to inform the noise impact assessment is a robust approach. It is accepted that road traffic levels were lower than normal due to Covid restrictions but even after applying any correction, it is unlikely to result in a perceptible increase and this is accepted.

It was unclear from the report whether the sports pitches were in use during this time, and if so, what sports activities were underway. Apex have stated that their measurements were supplementary to the Hepworth noise survey and that their report is based on Sport England published guidance on noise assessment for all weather pitches including their published noise levels due to sport and included in Table 8. Where Sport England doesn't include detailed noise information for LAF_{max} levels, Apex have supplemented this with their own measurements of a range of sports related noise generating activities. This point is accepted, however, the submitted noise report does not reflect the worst-case acoustic environment and

it is our belief that this needs to consider any activities during the peak times and days. This needs to include the evenings and weekends and so a condition requesting a revised report to take these timings into account is recommended.

Fixed Plant

Apex state a reduction in the number of ASHPs (Air Source Heat Pumps) is now proposed compared to that current at the time of their initial report, with units also being relocated further away from the existing college façade, reducing the risk of adverse noise impact, including at the existing college façade. Apex state that mechanical plant and attenuator selections shall be based on Table 5 plant noise limits within the report. Detailed plant noise impact assessment based on BS 4142 at nearby dwellings shall be carried out once final plant selections have been confirmed. Our position remains that a condition requiring a further assessment of the proposed plant and the associated noise levels during operation must be undertaken once these details are confirmed.

A condition is also recommended to ensure the mitigation measures proposed (2.4m high solid screen) is installed as per the location and specification given.

Sports Pitch

The report acknowledges that the noise levels from the sports pitch are likely to vary depending on the activities underway but indicates that the majority of the noise levels measured at 10m are between 56dB and 58dB $L_{Aeq,T}$. The report considers this consistent with the Sports England recommended noise level limit for use of artificial grass pitches. The sound associated with sporting activities has also been taken into consideration (i.e. a stick hitting a hockey ball, shouting and whistleblowing). The calculated noise levels at the noise-sensitive receptors for the sports pitch were 52dB $L_{Aeq,1hr}$ and 61dB LAF_{max}. These were above the desirable assessment criteria of 50dB $L_{Aeq,1hr}$ and 55dB LAF_{max} between 1900hrs and 0700hrs. As stated, the submitted noise report does not reflect the worst case acoustic environment and it is our belief that this needs to consider any activities during the peak times and days. This needs to include the evenings and weekends and so a condition requesting a revised report to take these timings into account is recommended.

Apex state their report has been updated to include reference to noise levels due to a hockey ball hitting a resilient material treated backboard. The applicant will need to ensure all pitch perimeter fencing is installed in accordance with the Design Guidance Note from Sport England - Artificial Grass Pitch (AGP) Acoustics - Planning Implications and a condition is recommended to ensure it is installed as per this guidance document.

All other noise mitigation fencing is to be installed as per the location and specification given and a condition is recommended.

Car Parking

We have stated that it is unclear whether consideration has been given to the vehicle movements that are likely to fluctuate due to scheduled sports games. Apex state that for a college car park, it is likely that the number of car movements for the majority of the day shall typically be less than 0.3 per space per hour. They consider the car park as a source area with the total sound power level determined by the number of vehicle movements and the total parking spaces. Whilst it is noted that the proposed car parking layout for the scheme is based on the total of 157 existing car parking spaces currently at the site being the same with

the scheme, it does not state whether there is a possibility of an increase in noise levels from vehicle movements in the late evening or over the weekends due to the proposed use of the sports pitches and this will need to be clarified. The use of the German Guidance is accepted.

Contaminated Land

In our previous response dated 9th November 2021 we commented on the following documents that had been submitted in support of the application:

1. Phase I Geo-Environmental Desk Study by EPS dated 24th September 2020, (Ref: UK20.5113)
2. Coal Mining Risk Assessment by Cundall dated 15 September 2021 (Ref: 1029739.RPT.GL.001)
3. Phase II Geotechnical and Geoenvironmental Assessment (Ref: NE8659-CDL-ZZ-XX-RP-GE-60200)

We concluded that there were several aspects of the Phase II report that required additional information/clarification. These related to the ground gas data, the ground monitoring data, the absence of a sampling plan and the proposals for the carbon dioxide and methane detectors.

We have now received the following in support of the application:

1. Phase II Geotechnical and Geoenvironmental Assessment dated 22nd November 2021 (Ref: NE8659-CDL-ZZ-XX-RP-GE-60200 – Revision C)
2. A document titled '*GT response to Environmental Health comments on Contamination (9th November)*.'

First, we indicated that no ground gas data had been provided other than the summary sheets provided in the report. We also noted that the groundwater monitoring data was absent. Secondly, we commented on the absence of a sampling plan. Lastly, we considered the proposals for carbon dioxide and methane detectors unclear and detailed that we require detailed information before the development commences.

The new information provided, details that the previously submitted information failed to include the final ground gas monitoring round information however this is now provided in the revised document. This also includes the groundwater monitoring data and the depth ranges of the response zones have been into Table 11 of Rev. It is also detailed that the raw information presented by EPS is not available, but the summarised information is now presented in Appendix A.

It has also been clarified that a targeted sampling methodology was undertaken the exploratory hole positions were determined by physically accessible locations and around the constraints of the college as it was operational during the works.

Lastly, it has been raised that it is beyond the scope of the scope of a Phase II report to make detailed recommendations for or specify detailed gas monitoring equipment and that this will be included in a remediation strategy.

The new information is on the whole acceptable. However, it remains unclear why the response zones varied between the EPS and Dunelm investigation i.e. why were made ground horizons not included in the Dunelm investigation response zones?

Until further information is provided, contaminated land conditions are still necessary, relating to Phase II report information, a remediation strategy, implementing the remediation and validating the site is suitable for use. We acknowledge that ground gas monitoring information is to be provided in a future remediation strategy. As such, our previously recommended stand-alone condition for ground gas detectors can be removed. Any future remediation strategy must ensure details of the ground gas detector scheme system are included. At minimum these must include:

- The type of ground gas detector to be installed
- The number of ground gas detectors to be installed
- Details showing the proposed location of all the ground gas detectors (if not in every room) and information about the placement of the ground gas detectors
- The proposed ongoing maintenance schedule that will carried out to ensure that the ground gas detectors continues to effectively monitor ground gas

Odour

A revised Odour Statement by Cundall (no ref) (dated: 26th November 2021) has been submitted in support of the application. The statement does not provide any additional information regarding the details of the kitchen extract ventilation system, and just provides an overview of the superseded Odour Statement. Whilst we appreciate that the detailed design of the kitchen extraction system may not be known at this time, our concerns remain the same, as our previous comment of 9th November 2021. That is, that the proposed development is in a residential area where it is anticipated a large volume of food will be prepared and cooked, giving rise to odours and noise and the impact this will have on the amenity of neighbouring residential properties. Therefore, the condition relating to the Kitchen Extract Scheme remains unchanged.

Sports Pitch Flood Lighting

In our previous comment on 9th November 2021, we raised concerns regarding the high level of illuminance of the sports pitch flood lights (298 lux) and the impact this would have on the amenity of neighbouring residential properties. At the time no information had been submitted regarding the vertical illuminance at the facades of neighbouring properties. Since then, an additional plan has been submitted by Halliday Lighting (Drawing no. HLS3095) (dated 01/12/2021) titled Proposed Lighting Vertical Spill. The contour plan shows the vertical spill at 3m above ground level from the 6 proposed flood lighting columns. Marked on the plan are 6 properties which are in close proximity to the proposed new flood lights. The contour plots indicate that the maximum vertical illuminance will be at property 2 with a source intensity calculation of 1222 candelas(cd). In accordance with the Institute of Lighting Professionals Guidance this is below the maximum pre-curfew value for vertical illuminance on premises in an Environmental Zone (E3) suburban. Therefore, we accept the proposal and make a recommendation regarding the sports pitch flood lighting.

Electric Vehicle Charging Points (EVCPs)

In our initial consultation on the 9th November 2021 we commented that no detailed specification of the 16 proposed electric vehicle charging points had been submitted. Since

then, a PodPoint T3 | T7 | T11 | T22 Datasheet has been submitted, in addition to an e-mail by the agent to the planner specifying the type of EVCP.

We are therefore satisfied from the information provided that the proposed Podpoint T7 (single phase) electric charging points meets the minimum standard requirement in that they will be Type 2 Socket, Mode 3, 32Amp. We therefore recommend a condition relating to their installation.

Construction Environmental Management Plan- (CEMP)

A Construction Management Plan by GallifordTry (ref: NE86590 (dated: 30/11/2021) has been submitted in support of the application. We have reviewed the submitted information and make the following comments and recommendations which are within the remit of Environmental Health.

The report includes construction site working times, and the scope and timetable for all works. This is further detailed in a series of drawings/plans for the different phases of the development construction, and clearly shows the location of contractor delivery access points, construction site materials storage, temporary car parks, construction site accommodation etc.

Construction Site Noise

The assessment acknowledges that noise (including vibration) will be generated during the demolition/ construction phase and that mitigation measures outlined in the BS5228 code of practice for noise and vibration on construction sites will be implemented. During exceptional working arrangement activities noise monitoring is to be undertaken at the site boundary to ensure that noise arising from the works is not at such a level to affect the amenity of nearby sensitive receptors. The report details the site-specific mitigation measures to be implemented during exceptional working activities.

Dust

Construction site dust has not been covered in the report; however reference is made to a separate Dust Management Plan document.

Construction Lighting

A diagram is included in the report which shows the location of the floodlights within the construction site compound. However, no information has been provided regarding the control and hours of use of the construction lighting and this requires further clarification, so that we can be satisfied that it will not impact the amenity of nearby residential properties.

Comment

We accept the Construction Environmental Management Plan by GallifordTry (ref: NE8659) (dated: 30/11/2021), subject to further clarification regarding our concerns around the construction site lighting and recommend the condition regarding the CEMP still applies.

Dust Management Plan

A Dust Management Plan by GallifordTry (no ref) (no date) has been submitted in support of the application. It details the potential impact of fugitive dust emissions caused by demolition/ construction site activities in accordance with the Institute of Air Quality Management (IAQM) Guidance on the assessment of Dust from Demolition and Construction 2014. The report identifies site specific potential dust generating activities, such as earthworks, construction

activities and trackout and outlines measures to control and prevent dust emissions during the construction phase. These are seen in section 6 Dust Emission Prevention Measures. In the event that these measures do not prevent significant dust emissions further measures are to be put in place to further enhance and adequately control dust – these measures are outlines in section 7.0 of the report titled Dust Emission Response Measures.

Comment
We have reviewed the submitted information and accept the Dust Management Plan by GallifordTry and recommend a condition relating to its implementation.

Recommended Conditions

NC8 Noise Report required for proposed noise generating use close to existing noise sensitive premises - Condition

Before construction work commences, a further noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- an assessment of all of the noise emissions from the proposed development including (but not limited to) from the use of the sports pitches, car parking and mechanical plant
- details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises
- a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

NF4 Competent Person - Footnote

All noise assessments should be carried out by a competent person. Developers may wish to contact the Association of Noise Consultants http://www.association-of-noise-consultants.co.uk/ (020 8253 4518) or the Institute of Acoustics http://www.ioa.org.uk (0300 999 9675) for a list of members.

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 Apex Acoustics Noise Impact Assessment dated 14th September 2021 (ref: NE8659- APX-ZZ-ZZ-RP-YA-0002

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

BC1 Acoustic Barrier - Condition
Before the development is brought into use, details of all acoustic barriers as recommended in the report by Apex Acoustics Noise Impact Assessment dated 14th September 2021 ref: NE8659-APX-ZZ-ZZ-RP-YA-0002 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

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

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

Noise Management Plan – Condition
Before the use of the pitch commences, a site-specific noise management plan shall be submitted to and approved in writing by the Local Planning Authority, the plan shall include:

a) a facility for neighbours to report excessive noise or anti-social behaviour directly to the operator of the site and that all such complaints be logged and investigated upon receipt, and appropriate action taken promptly, and the complainant kept informed of progress.
b) a system for training all staff to follow an action plan for dealing with complaints. This would include the ability to warn or ban user groups from the pitches.
c) a method of informing users that swearing and anti-social behaviour is unacceptable, and that the operator of the site reserves the right to dismiss users from the pitch and ban their future use
d) a log of complaints which should be retained for at least a period of two years.

The approved noise management plan shall be implemented before the use of the pitch commences and shall be retained thereafter.

Ball impact sound mitigation - Condition
All works to minimise the noise from the impact of balls should be carried out in accordance with the Design Guidance Note from Sport England - Artificial Grass Pitch (AGP) Acoustics - Planning Implications.

CLC2 Submission of a Revised Phase 2 Intrusive Site Investigation Report - Condition
Groundworks (other than those required for a revised 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 approved 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 approved 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 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 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

OC1 Kitchen Extract Scheme - Condition
Before food cooking commences details of a kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. The details shall provide the following information:

- A risk assessment for odour which considers amount and type of food that will be cooked together with the proposed dispersion of odours and proximity of receptors likely to be affected by any cooking odours.
- Based on the risk assessment, details of the proposed methods of odour control and dispersion of any extracted odours.
- Details showing the proposed location of all the major components of the extract system.
- The noise mitigation measures that will be incorporated in the extract system and details of the likely resulting noise levels that will be caused by operation of the extract system, in particular how loud it will be at nearby noise sensitive locations.
- The proposed ongoing maintenance schedule that will carried out to ensure that the extract system continues to effectively control odours and not cause excessive noise.

Before food cooking commences the approved extract system shall be installed and thereafter retained and maintained in accordance with the approved details.

Reason: To ensure the proposed development does not cause harmful odour pollution (within either a public area or at neighbouring premises) in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

Footnote
Detailed advice is available in *"Control of Odour and Noise from Commercial Kitchen Exhaust Systems"* by EMAQ Sep 2018 which is an update of "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" by DEFRA 2005.

LC5 Installation of the Agreed External Artificial Lighting – Condition
Before the All-Weather Sports Pitch is brought into use, the external artificial flood lighting shall be installed in accordance with the details provided in the Plan HLS3095- proposed Flood Lighting by Halliday Lighting (dated 06/09/2021). The installed external artificial lighting shall be operated thereafter in accordance with the approved scheme and maintained thereafter.

Reason: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with part 2 and 15 of the NPPF and xxxxx of the Local Plan.

LC2 All Weather Sports Pitch Flood Lighting Hours of Use – Condition
The artificial lighting hereby approved shall not be operated outside the hours of:

- 07:45hrs and 20:45hrs Monday to Friday
- 08:45hrs and 13:15hrs Weekends

Reason: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with part 2 and 15 of the NPPF and xxxxx of the Local Plan

HUC1 Hours of Use - Condition
College hours as existing and proposed
The use hereby permitted shall not be open outside the hours of:

- Monday – Friday (Staff) 07:30 to 18:00
- Monday – Friday (Students) 08:00 to 16:30

Hours of use for the proposed All-Weather Pitch (AWP)
The use hereby permitted shall not be open outside the hours of:

- Monday – Friday 08:00hrs to 20:30hrs
- Weekends – 09:00hrs to 13:00hrs

Main and Park Avenue car park as proposed
The use hereby permitted shall not be open outside the hours of:

- Monday – Friday 07:00hrs to 20:45hrs
- Weekends 09:00hrs to 13:15hrs

Park Avenue car park as proposed
The use hereby permitted shall not be open outside the hours of:

- Monday – Friday 07:00hrs to 18:00hrs

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

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 in the PodPoint T3 | T7 | T11 | T22 Datasheet. Once installed the charging points shall be retained and maintained 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.

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.

Dust1 Implement agreed Dust Management Plan– Condition
Before any demolition and construction work commences, the mitigation measures to control fugitive dust emissions during the demolition and construction phase of the development shall be implemented in accordance with those detailed in the Dust Management Plan by GallifordTry (no ref) (no date) and retained for the duration of the demolition and construction period.

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