

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2022/90858 - Shelley College, Huddersfield Road, Shelley, Huddersfield, HD8 8NL		
Construction of 3G pitch with 4.5m perimeter fencing and 15m floodlighting		
Date Responded: 17 th June 2022	Responding Officer: Natalie Heaney	Responding Ref: WK/202209479
Noise No noise impact assessment has been submitted with the application. Noise from the proposed development may have an adverse impact on nearby noise sensitive receptors. Therefore, a condition is necessary requiring a noise impact assessment. Hours of Use In the Design and Access Statement by sportslabsconsult, dated February 2022, submitted in support of the application, it is proposed that the facility operates under the following hours; - Monday to Friday up to 22:00hrs - Saturday and Sunday up to 21:00hrs We do not accept these proposed hours of use. Section 3.6.3 of the Design and Access Statement states that the new 3G facility will be <i>'beneficial to the wider community and local sports clubs who would be able to rent the pitch outside of school hours, increasing the community access to high level sport facilities.'</i> We have concerns that noise from the users of the artificial pitch and prolonged periods of noise associated with team sport activities (shouting, whistles, and fence rattle) may negatively impact nearby residents of the proposed pitch. Therefore, we recommend a condition relating to hours of use which are consistent with other recently permitted developments for community use, all-weather multi-use sports pitches. External Artificial Lighting The following documents have been submitted in support of the application: - Floodlighting Layout by sportslabsconsult, dated March 2022 (Ref: 3011) - Overspill Layout by Halliday Lighting, dated 5th May 2022 (Drawing No. HS3874) The floodlighting system proposed is detailed in-depth in Section 4 of the Design and Access Statement. A total of 6 x 15m high columns are proposed each with 2 x Floodlight FL11 Maxipro LED floodlight fixtures. These are 'flat style' optics and are designed to reduce upward waste light and overspill, featuring an internal louvre system to limit obtrusive light. The document indicates that these proposals fully comply with artificial lighting in an environmental zone E2 and no light spill will directly impact neighbouring dwellings. The Floodlighting Layout plan adds that the proposed lights would have a maintained illuminance of 246 lux and have a maintenance factor of 0.95. The position of the lighting columns is presented on the plan and also presents the horizontal illuminance around the perimeter of the proposed pitch. This is shown to drop to 5 lux with distance away from the		

pitch.

Further email correspondence from the lighting consultants, dated 6th May 2022 confirmed that integrated louvres will be present on the installed floodlighting to prevent overspill of obtrusive light.

We accept the Floodlighting Layout by sportslabsconsult, dated March 2022 (Ref: 3011) and Overspill Layout by Halliday Lighting, dated 5th May 2022 (Drawing No. HS3874). Therefore, we recommend a condition for the lighting to be installed and made operational in accordance with the approved documentation.

Contaminated Land

The proposed development site is not shown as being potentially contaminated from its former use and it is not located close to a historic landfill site that may have an adverse impact on the proposed development. However, the proposed development site is shown as being c.100m South from potentially contaminated land (our site reference 119/17).

Due to the small scale of the development, and as ground works are proposed there is the possibility for unexpected contamination and/or coal to be identified, therefore we recommend a condition relating to unexpected ground contamination.

Electric Vehicle Charging Points

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.

Construction Hours

The proposed development site is situated near a residential amenity. For that reason, it is appropriate to recommend conditions limiting the hours of construction to alleviate nuisance.

Recommended Conditions

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

Before construction work commences a 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:

- a) an assessment of all of the noise emissions from the proposed development
- b) details of existing background and predicted future noise levels at the boundary of the noise sensitive premises or specified properties either on plan or by address.
- c) 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.

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*.

Hours of use for the proposed 3G Pitch - Condition

The use hereby permitted shall not be open outside the hours of:

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

LC5 Installation of the Agreed External Artificial Lighting – Condition

Before the development is brought into use any external artificial lighting shall be installed in accordance with the details provided in Floodlighting Layout by sportslabsconsult, dated March 2022 (Ref: 3011) and Overspill Layout by Halliday Lighting, dated 5th May 2022 (Drawing No. HS3874). The installed external artificial lighting shall be operated thereafter in accordance with the approved scheme.

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 Lighting Hours of Use – Condition

The artificial lighting hereby approved must only operate between the hours of:

- Monday – Friday 07:45hrs to 20:45hrs
- Weekends & Bank Holidays – 08:45hrs to 13:15hrs

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

CLC6 Reporting of Unexpected Contamination - Condition

In the event that contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during the development, 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. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved 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 that part of the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works 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

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:

- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of non-residential parking spaces

Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan and Chapters 2, 9 and 15 of the National Planning Policy Framework.

EVF1 Electric Vehicle Charging Points – Footnote

- A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof
- At non-residential developments, the requirement for one standard electric vehicle charging point for at least 10% of parking spaces may initially be reduced to one charging point for at least 5% of parking spaces with the remainder provided at an agreed trigger point.
- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable.
- The electrical supply of the final installation should allow the charging equipment to

operate at full rated capacity.

- The installation must comply with all applicable electrical requirements in force at the time of installation.

CSC1 Construction Site Working Times - Condition

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

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays

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

CSF1 Construction Sites working times – Footnote

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.