

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2022/91598 former, Stile Common Infant & Nursery School, Plane Street, Newsome, Huddersfield, HD4 6DF		
Discharge of conditions 3 (Construction Management Plan), 4 (Construction Environmental Management Plan), 5 (road condition survey), 6 (Remediation Strategy), 9 (coal legacy) , 11 (estate roads), 12 (drainage under highway), 13 (highway retention), 14 (arboricultural method statement), 15 (Ecological Design Strategy), 16 (drainage scheme) and 17 (temporary drainage) of previous permission 2020/92067 for erection of 30 dwellings		
Responding Date: 1 st June 2022	Responding Officer: 4. CEMP-SR 6.Remediation Strategy- NH	Responding Ref: WK/202217881
<u>Comments</u> We have reviewed application 2022/91598 in relation to discharge of conditions 4 (Construction Environmental Management Plan) and 6 (Remediation Strategy). <u>Condition 4 Construction Environmental Management Plan</u> To assist with the discharge of Condition 4 an undated, unreferenced Construction Environmental Management Plan (CEMP) by Torpoint Ltd has been submitted. We have reviewed the submitted document in relation to the following areas which are within the remit of Environmental Health. 1. Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries. 2. Dust arising from all construction related activities. 3. Artificial lighting used in connection with all construction related activities and security of the construction site. Whilst the Plan includes some site-specific information in regard to artificial lighting used in connection with the construction activity we are unable to find any site-specific information in relation to noise, vibration and fugitive dust emissions. The Plan does not include drawings showing locations for machinery storage/bulk materials storage locations/positions of wheel wash stations, staff facilities. For information: British Standards (BS) provide codes of practice for the control of noise and vibration on construction and open sites (BS 5228-1: 2009 + A1: 2014 and BS 5228-2: 2009 respectively). The measures and procedures contained within these documents are considered to represent best practicable means for noise control on construction sites. These codes of practice should be used to inform your proposed site-specific control measures included within this construction management plan. Institute of Air Quality Management document “<i>Guidance on the assessment of dust from demolition and construction</i>” Version 1.1 2014 provides detailed information regarding dust control, in particular, the measures detailed in the “<i>Mitigation for all sites</i>” tables in Section 8 of the document. <u>Hours of operation</u> The Plan sets out in paragraph 3.2 Site Operating Hours 07:30-18.30 Monday to Friday.		

07.30-17.30 Saturdays. No work will be conducted on site on Sundays. The site will be open from 07.00 to 19.00 Monday to Friday and 07.00 to 18.00 Saturdays. No work will commence until 07.30 am. All deliveries will be scheduled in working hours.

It is not clear if this is for sales office opening or construction. We would remind the applicant that our standard operating times for construction activities are as follows:

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

The Construction Environmental Management Plan must clearly identify the hours of operation of construction activities, including deliveries.

Communication

The Plan does not identify a specific contact for nearby residents in the event of complaints and is vague regarding the information to be given to nearby residents and how frequently residents will be updated. It does not identify how complaints will be processed and what records will be kept.

The Key dates listed in paragraph 5.2 of the Plan will be out of date and require review.

Conditions 6 – Remediation Strategy

To discharge Condition 6, the following documents have been submitted:

- A Remediation Strategy Report by DB Remediation, dated 29th March 2022 (ref: 416.03.22.RS).
- A Further Site Investigation Report by Solmek Ltd, dated 5th May 2022 (ref: S220220)

The reports include 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 remediation strategy provides an outline of the remediation works to be carried out. Briefly, the report proposes to remove made ground from gardens areas placing 600mm depth of clean cover in residential gardens and 300mm depth of clean cover in all public open space soft-landscaping. In Section 4.2 of the report there is also reference to the placement of a high visibility membrane. However, no additional information is provided in the report. The report then continues to outline site management procedures, contingency measures for unexpected contamination and the proposed verification works which will be completed in accordance with standard guidelines (e.g. YALPAG).

The further site investigation report details the findings of the fieldwork undertaken in February and April 2022. From several rotary open boreholes, trial pits, and laboratory analysis of soil samples it was concluded that several exceedances of inorganic and organic contaminants existed in the shallow soil samples when results were compared against residential screening criteria. In addition, coal workings were identified, in one of the additional boreholes, at an approximate depth of 12.20 to 13.10 metres below ground level.

We accept the Further Site Investigation Report by Solmek Ltd, dated 5th May 2022 (ref: S220220). However we do not accept the Remediation Strategy Report by DB Remediation, dated 29th March 2022 (ref: 416.03.22.RS). The remediation strategy was authored prior to the additional investigation by Solmek, and it is unclear whether the remediation strategy has been revised in light of the additional findings. Furthermore, we require clarification on the proposed high visibility membrane and the clean cover system as there appears to be no further information on these proposals in the report.

For these reasons, we are currently unable to recommend the discharge of Condition 6 and the condition must remain until further notice.

Recommendations

Condition 4 - Construction Environmental Management Plan

Overall, the information provided is considered unsatisfactory, due to the lack of detailed site-specific information as outlined above and for these reasons we do not accept the submitted undated, unreferenced Construction Environmental Management Plan (CEMP) by Torpoint Ltd. Therefore, Condition 4 must remain until further notice.

Conditions 6 – Remediation Strategy

We accept the Further Site Investigation Report by Solmek Ltd, dated 5th May 2022 (ref: S220220). However we do not accept the Remediation Strategy Report by DB Remediation, dated 29th March 2022 (ref: 416.03.22.RS) and require additional information and clarification. Therefore, Condition 6 must remain until further notice.