

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	2022/44/92957/W
Site Address:	Former Hoyle Ing Dyeworks, Hoyle Ing, Linthwaite, Huddersfield, HD7 5QS
Description:	Discharge of conditions 3 (external facing materials), 4 (roofing materials), 5 (boundary treatment), 7 (amended elevations and sections), 8 (demolition), 11 (BEMP), 13 (noise), 17 (electric vehicle charging), 18 (CEMP), 19 (landscape) and 29 (waste collection) of previous permission 2021/94664 for demolition of existing building and development of the former dyeworks comprising 9 apartments, 4 bungalows and 2 maisonettes (within a Conservation Area)
Recommending Officer:	Ellie Worth

DECISION – Discharge of Conditions – Split Decision

I hereby authorise the split decision of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Victor Grayson

AUTHORISED OFFICER

Date: 19-Oct-2023

Officer report

Application: 2022/92957

Site: Former Hoyle Ing Dyeworks, Hoyle Ing, Linthwaite, Huddersfield, HD7 5QS

Proposal: Discharge of conditions 3 (external facing materials), 4 (roofing materials), 5 (boundary treatment), 7 (amended elevations and sections), 8 (demolition), 11 (BEMP), 13 (noise), 17 (electric vehicle charging), 18 (CEMP), 19 (landscaping) and 29 (waste collection) of previous permission 2021/94664 for demolition of existing building and development of the former dyeworks comprising 9 apartments, 4 bungalows and 2 maisonettes (within a Conservation Area)

Condition 3 – External facing materials

3. Prior to their use, details of all external facing materials, to include natural stone walling, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials, prior to the hereby approved development being brought into use.

Reason: *In the interests of visual amenity and heritage, to maintain and enhance the character and appearance of the Linthwaite Conservation Area, to maintain the setting of listed buildings, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Principles 2 and 13 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.*

Assessment

As part of this application, details of the materials proposed have been submitted under document ref: PP-11512916. This has been reviewed by KC Conservation and Design.

In this case, it has been considered that the use of 140mm Machine Pitched Walling Stone (natural stone) sourced from Morley Quarry and Masonry, Leeds, is acceptable.

Window and door details have also been provided and these would involve a dark grey/anthracite finish. The windows would be fitted with glazing to help combat external noise intrusion. A specification in support of this has also been submitted.

Alongside the above, a specification for the door details has been provided and this would include a composite half moon door, as set out on the technical data sheet 1.0.

With regards to hard surfacing this would include tarmac to the highway and flagged paths (using Stretton smooth buff slabs) to pedestrian routes.

The proposed materials are considered appropriate for this prominent location within the Linthwaite Conservation Area and the settings of the listed buildings to the southwest.

Having taken into account the above, Officers can support the approval of the submitted details.

Condition 4 – Roofing materials

4. Prior to their use, details of the proposed roofing material, to consist of natural blue slate unless otherwise agreed in writing by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed using the approved materials, prior to the hereby approved development being brought into use.

Reason: *In the interests of visual amenity and heritage, to maintain and enhance the character and appearance of the Linthwaite Conservation Area, to maintain the setting of listed buildings, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Principles 2 and 13 of the Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.*

Assessment

As part of this application, details of the roofing materials proposed have been submitted under document ref: PP-11512916. This has been reviewed by KC Conservation and Design.

In this case, the roof tiles consist of a natural blue slate, imported from Cupa Slate Quarry in Galicia in Northern Spain.

The proposed roofing material is considered appropriate for this prominent location within the Linthwaite Conservation Area and the settings of the listed buildings to the southwest.

As such, the details submitted pursuant to condition 4 can be approved.

Condition 5 – Boundary treatment

5. Before works commence on the superstructure, full details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the details so approved.

Reason: *In the interests of visual amenity and heritage, to maintain and enhance the character and appearance of the Linthwaite Conservation Area, to maintain the setting of listed buildings, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan, Principles 2 and 13 of the*

Council's adopted Housebuilders Design Guide SPD and policies within Chapter 12 of the National Planning Policy Framework.

Assessment

A boundary treatment plan drawing ref: HA-MRLW-005 has been submitted in support of this condition. This has been reviewed by KC Conservation and Design.

As stone walls are a typical vernacular boundary feature within this conservation area, the boundary treatment proposed (0.9m coursed stone wall) along Hoyle Ing and Manchester Road is considered acceptable. Officers have noted that the wall should have heavy copings and therefore the agent has confirmed in writing that these will be at least 50mm thick.

Within the site, 1.8m timber fencing is proposed to the bin stores and to separate the private gardens to the bungalows.

The above boundary treatments are acceptable and therefore the details submitted pursuant to condition 5 can be approved.

Condition 7 – Amended elevations

7. Before works commence on the superstructure, amended elevations and sections shall be submitted to and approved in writing by the Local Planning Authority, showing:

- Where and how stone features from the 1906 office/warehouse fronting Manchester Road (including the 1906 date stone, lintels, surrounds, cornices, voussoirs, corbels, copings and kneelers) shall be salvaged, reused and incorporated into the development hereby approved; and*
- Redesign of the elevations to the apartment building (plots 1-9) to remove inappropriate horizontal elements.*

The development shall then be carried out in complete accordance with the approved details.

Reason: *So as to ensure the satisfactory appearance of the development on*

completion, in the interests of the significance of the heritage asset, to maintain and enhance the character and appearance of the Linthwaite Conservation Area, to maintain the setting of listed buildings, and to accord within Policies LP24 and LP35 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

Assessment

A plan titled 'Proposed street scene' drawing ref: HA-MRLW-66 has been submitted in support of this condition. The plan has been reviewed by KC Conservation and Design.

In this instance, Officers accept the re-use of the original date stone within the new stone boundary wall and the creation of a new stone within the apartment block to identify the 'Old Dyeworks'. The original kneelers will also be used as pillar cappings, which can be supported.

However, the agent has stated that the corbels, lintels and surrounds on the existing building could not be re-used as the new apartment block would be constructed using a timber frame, which would not be strong enough to support the aforementioned features. It has also been stated that the cornices, voussoirs, copings were not salvageable during demolition and therefore cannot be re-used.

Given the above, several of the requirements of condition 7 have not been addressed. An approval pursuant to condition 7 cannot be issued.

The applicant would be required to submit a Section 73 application to vary the wording of this condition, supported by evidence regarding the corbels, lintels, surrounds, cornices, voussoirs and copings of the demolished building.

The second bullet of condition 7 has been addressed. The applicant has deleted inappropriate horizontal elements (continuous lintels between windows and blind windows) from the elevation facing Manchester Road.

Condition 8 – Contract for demolition

8. The existing building shall not be demolished before a binding contract for the carrying out of works of redevelopment of the site has been made and submitted to and approved in writing by the Local Planning Authority.

Reason: *To ensure the new development will proceed after the loss of the existing building has occurred in accordance with paragraph 198 of the National Planning Policy Framework, to maintain and enhance the character and appearance of the Linthwaite Conservation Area, to maintain the setting of listed buildings, and to accord within Policies LP24 and LP35 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.*

Assessment

A contract for the re-development of the site has been submitted in support of this condition. This sets out the agreed terms and provides a target date for the development to be complete.

As such, Officers are satisfied that the site will be re-developed for housing, and that the site will not be left unused following the loss of buildings of some historic interest. For this reason, condition 8 has been satisfied.

Condition 13 – Noise

13. Before construction work commences a report specifying the measures to be taken to protect the development from noise from all

significant noise sources that are likely to affect the proposed development including road traffic and commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The report shall:

- Determine the existing noise climate;*
- Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development; and*
- Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).*

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Reason: *In the interests of amenity and to accord with Policies LP24 and LP52 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.*

Assessment

To assist with the discharge of condition 13, an un referenced Noise Assessment from Echo Acoustics dated 06/07/2022 has been submitted. This has been reviewed by KC Environmental Health.

Noise monitoring was conducted between 1430hrs on Wednesday 20 April and 1055hrs on Friday 22 April 2022 from a single monitoring position as shown in figure 4. A summary of the results is shown in table 2. Para 1.4 states the site is principally affected by traffic noise from Manchester Road including the passage of numerous buses and diesel-engined heavy goods/delivery vehicles. Very little noise was observed from the commercial use to the south of the site.

Figure 7 shows the Internal layout of the apartments, figure 8 shows the internal layout of the bungalows showing there are no bungalow bedroom windows facing Manchester Road, and figure 9 shows the internal layout of the maisonettes. Based upon distance attenuation along with a 3dB correction for reflection, figure 10 specifies the required glazing for the apartments and figure 11 specifies the required glazing for the maisonettes. Table 4 indicates that with windows closed, the internal requirements of BS8233 would be met for all parts of the development. However, in order to achieve the BS 8233 guideline values and prevent disturbance, particularly sleep disturbance at night, the assessment shows that it will be necessary to keep habitable room windows closed. Para 4.22 states an alternative means of providing both background and cooling ventilation will be required in all habitable rooms which is typically achieved through the provision of whole-house passive input ventilation (PIV) or mechanical ventilation, either as whole-house systems (MVHR) or as through-wall solutions in individual rooms.

The applicant has submitted a data sheet from Blauberg Ventilation for a MVHR system. This has raised no concerns from Officers, however it is recommended that the applicant be advised that the ventilation system must meet with the

internal requirements of BS8233 along with any requirements from Building Control.

Noise levels affecting the external amenity areas (i.e. rear gardens of the bungalows) will be below the recommended guideline values due to the significant acoustic screening provided by the buildings.

As such, the findings of the report are accepted and the details submitted pursuant to condition 13 can be approved.

Condition 17 – Electric Vehicle Charging

17. 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:

- 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*

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.*

Assessment

To assist with the discharge of condition 17 an unreferenced, undated plan by Highstone titled Land Off Manchester Road, Linthwaite, Proposed EVCP Plan has been submitted. This has been reviewed by KC Environmental Health.

The plan illustrates the location of four Electric Vehicle Charging points within the site boundary and sets out that there will be twelve parking spaces overall, suggesting the spaces are unallocated. This is due to the residents being unable to drive and therefore the spaces will be unallocated and for staff and visitors.

The submitted specifications for the charging points meet the power requirements of condition 17.

Given the above assessment, the proposed four EVCPs are acceptable and accord with condition 17.

Condition 18 – Construction Environmental Management Plan

18. 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:

- A timetable of all works;*
- Details of 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;*
- Details of the parking of vehicles of site operatives and visitors;*
- Details and location of signage;*
- Details of loading and unloading of plant and materials;*
- Details of storage of plant and materials used in constructing the development;*
- 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;*
- Measures to control and monitor the emission of dust and dirt during construction;*
- A Site Waste Management Plan, detailing recycling/disposing of waste resulting from demolition and construction works;*
- Details of 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);*
- Details of artificial lighting used in connection with all construction related activities and security of the construction site;*
- Site manager and resident liaison officer contact details (including their remit and responsibilities); and*
- 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 Policies LP24, LP51 and LP52 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Assessment

To assist with the discharge of condition 18, a Demolition & Construction Method Statement, Site: Land Off Hoyle Ing, Linthwaite, HD7 5QS, Application ref: PP-11512916 and a plan dated 16/09/2022, drawing ref: HA-MRLW-800, Titled Proposed Construction Management Plan have been submitted. These have been reviewed by KC Environmental Health and KC Highways DM.

A timetable of all works

A phasing plan has been submitted within the Construction Method Statement to set out the different stages to the development, albeit without reference to dates. Phase 1 includes the removal of site hoarding and erection of security fencing etc. Phase 2 includes the construction of temporary surfaces, site compound and the strip out of the mill conversion. Phase 3 involves the construction of bungalows, the apartment block following its demolition and the conversion of the smaller mill. Lastly, Phase 4 includes the completion of landscaping, hard surfaces and boundary treatments.

Delivery vehicles sizes and routes, times of movements and location

The document outlines that deliveries and collections will be restricted to site working hours. These include 07:30 – 18:00 Monday – Friday and 08:00 – 13:00 on Saturdays. Delivery instructions will be sent to all suppliers and contractors.

All employees, sub-contractors and supply-chain members will be advised in their induction of the need to adhere to local speed limits, to use the dedicated routes to and from site and will be made aware of potential risks associated with the local 'school-run' etc.

All abnormal (low loaders) movements will be planned and will be done in accordance with an appropriate risk assessment. Where such vehicles are brought onto site, a Banksman will be present.

All deliveries will enter the site off Manchester Road and have been instructed to come through Huddersfield Town Centre as a preferred route. As all deliveries will be booked in advance, there is no need for waiting areas off site.

Parking of site operatives and visitors

A site operatives' vehicle parking area will be laid out within the construction compound as shown on the construction demolition phase plan.

Signage

The appropriate signage has been set out within the document. This includes construction and delivery signage and site office and welfare signage.

Loading and unloading of plant and materials

All parking and loading/unloading would take place within the site boundary. Plant would be securely stored on site and any loading/unloading of plant will also occur within the site boundary.

Storage of plant and materials during construction

Plant would be securely stored on site and any loading/unloading of plant will also occur within the site boundary.

Measures to be taken to minimise the deposit of mud, grit and dirt on public highways

A wheel cleaning procedure will be used in order to mitigate the amount of mud, grit and dirt that could potentially be deposited on the highways by vehicles exiting the construction site.

The area outlined on the construction plan will be used for the wheel wash within phase 1 -3 of the development when temporary road surfaces are being put in place.

Measures to be taken to minimise dust

The Method Statement informs Officers that a wheel wash will be in place throughout the demolition and construction phases. This is the only site-specific dust control measure listed, given the development includes demolition and construction phases it is likely dust will be a factor. Officers require more site-specific information on the controls to be put in place to protect nearby sensitive receptors from fugitive dust.

Furthermore, whilst the plan informs Officers that a review of the Method Statement will be periodically undertaken, it does not give any site-specific detail regarding what day-to-day monitoring will be undertaken to assess dust. Officers also require details of the records to be kept and how these will be made available to the Local Authority in the event of complaints being received.

A Site Waste Management Plan

Any waste that is produced is to be separated into skips where appropriate and any recyclable material is to be brought back to Highstone Homes headquarters to be either reused or recycled. Any waste produced during the demolition of the site will either be reused in the construction of the new buildings or taken off site to be repurposed.

Noise and vibration controls

KC Environmental Health have commented on the submitted Method Statement as follows:

- The construction hours of use have been clarified in the Method Statement and are within the council's general guidance for construction sites.
- Equipment and machinery are to be switched off when not in use.
- Where available quieter equipment will be used and mufflers applied.
- Staff training will be undertaken.

Whilst the plan informs Officers that a review of the Method Statement will be periodically undertaken it does not give any site-specific detail regarding what day-to-day monitoring will be undertaken to assess noise. Officers also require

details of the records to be kept and how these will be made available to the Local Authority in the event of complaints being received.

Construction Related Artificial External Lighting

Although works are anticipated to be within daylight hours and no construction related external artificial lighting is proposed, the plan goes on to say that security lights are to be in operation 24/7. No details regarding the location or direction of beam are given in regard to this lighting, therefore Officers are unable to assess if glare and stray light could cause loss of amenity to nearby sensitive receptors.

Site manager and resident liaison officer contact

The responsible persons on site have been identified as:

- Site Manager
- Assistant Site Manager

Contact details including both a telephone number and email address have been provided within the document.

Details of engagement with local residents and occupants

A letter drop to local residents and businesses is to be undertaken to notify the commencement of works following the initial site set up. Officers expect this letter to confirm the on-site contacts for local residents to easily contact responsible persons on site. No complaints procedure is detailed in the plan. Confirmation must be given that Site Hoardings contain responsible persons' contact details.

Given the above, additional site-specific information is required, particularly in relation to noise, dust and lighting. Environmental Health Officers have outlined the following documents within their response which provide useful information about controlling construction dust and noise:

- 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.
- British Standard BS 5228 "Noise and vibration control on construction and open sites", particularly Parts 1, 2 and 4, provides a good design and management guide for control of noise and vibration.
- CIRIA project report 70 "How much noise do you make? A guide to assessing and managing noise from construction sites" – an informally-written booklet providing accessible advice on the assessment and control of site noise (no ISBN – please refer to CIRIA, tel. 0207 549 3300).

For the above reasons, condition 18 cannot be discharged at this time.

Condition 19 – Landscaping

19. Prior to the commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These works shall include:

- Details of materials to be used for all hard surfaced areas including linking paths, vehicle and other circulation areas;*
- Planting plans; plant schedules noting species, plant sizes and proposed numbers/densities; and an implementation, management, and maintenance programme; and*
- A Landscape Management Plan including details of initial aftercare and long-term maintenance for minimum of five years.*

The approved landscaping scheme shall, from its completion, be maintained for a period of five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.

Reason: *To enhance and conserve the visual amenity of the historic built environment as well as the natural environment in accordance with Policies LP24, LP30, LP32, LP35 and LP63 of the Kirklees Local Plan as well as Chapters 12 and 15 of the National Planning Policy Framework.*

Assessment

A detailed landscape plan drawing ref: HA-MRLW-004 has been submitted in support of condition 19. This has been reviewed by KC Landscape.

In this instance, the plan is considered acceptable and the details submitted pursuant to condition 19 can be approved.

Condition 29 – Waste management and collection

29. Prior to the commencement of superstructure works, details of the management of waste collection points shall be submitted to and approved in writing by the Local Planning Authority. The details shall confirm that waste collection points shall not obstruct access to private driveways or parking spaces, and shall include details of management measures (including measures to control odour and vermin, and regarding the movement of waste on collection days) and measures to discourage flytipping. The works and arrangements comprising the approved details shall be implemented prior to first occupation and shall be so retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: *In the interests of visual and residential amenity and highway safety, to assist in achieving sustainable development, and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.*

Assessment

A Waste Management Plan drawing ref: HA-MRLW-801 has been submitted in support of this condition. This has been reviewed by KC Waste Strategy.

The plan shows four bin stores for the bungalows 10-13 and two storage areas (1-9 and 14/15) for the residential blocks in orange and three bin collection points shown in green (one adjacent to the turning head and one either side of the site entrance from Manchester Road). These proposals are considered acceptable.

The submitted boundary treatment plan also shows the bin stores to be constructed from a 1.8m timber fence which is also considered acceptable, as they would screen unsightly views of bins within the site.

Given the above assessment, the details submitted pursuant to condition 29 can be approved.

Decision notice text

Condition 3 – Walling materials

Pursuant to condition 3 you have submitted:

- Samples of the materials proposed within drawing ref: PP-11512916.
- Regency Glass specification
- Composite Technical specification

The proposed 140mm Machine Pitched Walling Stone (natural stone) from Morley Quarry and Masonry, Leeds is considered acceptable for the purpose of condition 3, and is hereby approved. The proposed dark grey/anthracite finish to windows and composite doors, Regency Glass, tarmac to the highway and flagged paths (using Stretton smooth buff slabs) to pedestrian routes are also considered acceptable and are hereby approved.

Please be reminded of the requirement of condition 3 that the development shall be completed using the approved materials, prior to the hereby approved development being brought into use.

Condition 4 – Roofing materials

Pursuant to condition 4 you have submitted:

- Samples of the roof material within drawing ref: PP-11512916.

In this case, the roof tiles consist of a natural blue slate, sourced from Cupa Slate Quarry in Galicia in Northern Spain, which is considered acceptable for the purpose of condition 4 and is hereby approved.

Please be reminded of the requirement of condition 4 that the development shall be completed using the approved materials, prior to the hereby approved development being brought into use.

Condition 5 – Boundary treatment

Pursuant to condition 5 you have submitted:

- A boundary treatment plan drawing ref: HA-MRLW-005

The stone boundary walls proposed along Hoyle Ing and Manchester Road are considered acceptable, provided they are finished with heavy copings at least 50mm thick. The timber fencing to the proposed bin stores and to separate the private gardens to the bungalows are also considered acceptable, and are hereby approved.

Please be reminded of the requirement of condition 5 that the development shall be undertaken in accordance with the details so approved.

Condition 7 – Amended elevations

Pursuant to condition 7 you have submitted:

- A proposed 'street scene' plan drawing HA-MRLW-66

Officers accept the proposed re-use of the original date stone within the new stone boundary wall and the creation of a new stone within the apartment block to identify the 'Old Dyeworks'. The original kneelers will also be used as pillar cappings, which is supported.

The second bullet of condition 7 has been addressed. You have deleted inappropriate horizontal elements (continuous lintels between windows and blind windows) from the elevation facing Manchester Road.

However, you have stated that the corbels, lintels and surrounds of the existing building could not be re-used as the new apartment block would be constructed using a timber frame, which would not be strong enough to support the aforementioned features. You have also stated that the cornices, voussoirs, copings were not salvageable during demolition and therefore cannot be re-used.

Given the above, several of the requirements of condition 7 have not been addressed. An approval pursuant to condition 7 cannot be issued.

You would be required to submit a Section 73 application to vary the wording of this condition, supported by evidence regarding the corbels, lintels, surrounds, cornices, voussoirs and copings of the demolished building.

Condition 8 – Contract for demolition

Pursuant to condition 8 you have submitted:

- A confidential contact for the re-development of the site

The document sets out the agreed terms for the re-development of the site and provides a target date for completion.

As such, Officers are satisfied that the site will be re-developed for housing, with the finished scheme being appropriate to the character and setting of the Conservation Area. For this reason, condition 8 has been satisfied and is hereby discharged.

Condition 13 – Noise

Pursuant to condition 13 you have submitted:

- An unreferenced Noise Assessment from Echo Acoustics dated 06/07/2022

Figure 7 shows the internal layout of the apartments, figure 8 shows the internal layout of the bungalows and figure 9 shows the internal layout of the maisonettes. Based upon distance attenuation along with a 3dB correction for reflection, figure 10 specifies the required glazing for the apartments and figure 11 specifies the required glazing for the maisonettes. Table 4 indicates that with windows closed, the internal requirements of BS8233 would be met for all parts of the development. However, in order to achieve the BS 8233 guideline values and prevent disturbance, particularly sleep disturbance at night, the assessment shows that it will be necessary to keep habitable room windows closed. Para 4.22 states an alternative means of providing both background and cooling ventilation will be required in all habitable rooms which is typically achieved through the provision of whole-house passive input ventilation (PIV) or mechanical ventilation, either as whole-house systems (MVHR) or as through-wall solutions in individual rooms.

As such, the findings of this report are accepted, subject to the works recommended within the submitted Noise Assessment being installed and retained thereafter.

NOTE: Notwithstanding the above, it is recommended that the applicant be advised that the ventilation system must meet with the internal requirements of BS8233 along with any requirements of the Building Regulations.

Condition 17 – Electric vehicle charging

Pursuant to condition 17 you have submitted:

- A plan by Highstone titled Land Off Manchester Road, Linthwaite, Proposed EVCP Plan

The plan illustrates the location of four electric vehicle charging points within the site boundary. These details are considered acceptable for the purpose of condition 17, and are hereby approved.

Please be reminded of the further requirement of condition 17, which states that 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. Condition 17 also requires the charging points to be retained thereafter.

Please also note that this approval pursuant to condition 17 does not override any relevant requirements of the Building Regulations Document S.

Condition 18 – Construction Environmental Management Plan

Pursuant to condition 18 you have submitted:

- A Demolition & Construction Method Statement, Site: Land Off Hoyle Ing, Linthwaite, HD7 5QS, Application Ref: PP-11512916
- A plan dated 16-09-22, Drawing Ref: HA-MRLW-800, Titled Proposed Construction Management Plan

In this case, additional site-specific information is required, particularly in relation to noise, dust, lighting. Therefore, Environmental Health Officers have outlined the following documents within their response which provide useful guidance regarding the control of construction dust and noise:

- 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.
- British Standard BS 5228 “Noise and vibration control on construction and open sites”, particularly Parts 1, 2 and 4, provides a good design and management guide for control of noise and vibration.
- CIRIA project report 70 “How much noise do you make? A guide to assessing and managing noise from construction sites” – an informally-written booklet providing accessible advice on the assessment and control of site noise (no ISBN – please refer to CIRIA, tel. 0207 549 3300).

For the above reasons, condition 18 cannot be discharged at this time.

Officers would like to offer 21 days from the date of this decision for you to submit the required information in relation to condition 18 under the current Discharge of Conditions application. Any information submitted after the 21 days would require a new submission.

Condition 19 – Landscaping

In support of condition 19 you have submitted:

- A detailed landscape plan drawing HA-MRLW-004

In this instance, details set out in the above drawing are considered acceptable and are hereby approved, subject to implementation and the site being maintained in accordance with the information for the lifetime of the development.

Condition 29 – Waste management and collection

In support of condition 29 you have submitted:

- A Waste Management Plan drawing HA-MRLW-801

The plans show four bin stores for the bungalows 10-13 and two storage areas (1-9 and 14/15) for the residential blocks in orange and three bin collection points shown in green (one adjacent to the turning head and one either side of the site entrance from Manchester Road).

The submitted boundary treatment plan also shows the bin stores to be constructed from a 1.8m timber fence which is also considered acceptable, as they would screen any unsightly views of bins within the site.

These proposals are considered acceptable and are hereby approved. However, please note the further requirements of condition 29 which state that the works and arrangements comprising the approved details shall be implemented prior to first occupation and shall be so retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Informative:

Details relevant to condition 14 have been submitted as part of this application but have not, however, been included as a condition to discharge within the application form.

Nonetheless, Environmental Health Officers have reviewed the document submitted and have offered the following advice.

“As part of our comments to previous permission 2021/94664 and 2022/92957 in November 2022, we reviewed Combined Stage 1/2 Geo-Environmental Report by ARP dated 12th March 2021 (ref: HIG/01/r1). Within that report there was a Contamination Remediation Statement (ref: HIG/01rem). In our response dated 11th May 2022 we stated: ‘we do not accept the Contamination Remediation Statement (ref: HIG/01rem) which can be found in the appendix of the Combined Stage 1/2 Geo-Environmental Report.

We asked for additional clarification relating to the additional sampling at the locations TP2 and TP11. This still does not appear to have been provided and is required.

Notwithstanding, a letter by RGS dated 4th February 2023 (ref: C3012/22/E/4934) has been provided. The letter includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the letter.

The letter details an investigation in January 2023 where four trial pits were dug and soils were taken for laboratory analysis. The results were compared against screening criteria and confirmed the presence of PAHs in HDTP11. The report concluded the building footprints should not be in this area and precautionary measures should be taken in the other sampled areas.

We do not accept the letter as there is missing and unclear information. Along with our previously raised point (see above) we require:

- (1) Confirmation on the final site levels and justification for the additional sample depths in the new report*
- (2) Clarification as to why the clay and sand layers were not sampled*
- (3) A plan to support the commentary*
- (4) Commentary and justification as to why samples were noted by the laboratory as deviating due to the use of the incorrect samples containers. The results, therefore, may be invalid.*
- (5) A revised CSM”.*

As such, a new discharge of condition application would be required for condition 14.

Report Dated:

18/10/2023
