

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2022/93441 rear of 330 Leymoor Road, Golcar, Huddersfield, HD7 4QL		
Erection of stables and exercise area		
Responding Date: 25th November 2022	Responding Officer: Shirley Reynolds	Responding Ref: WK/202237720
<u>Comments</u> We have reviewed application 2022/93441 for the erection of stables and exercise area to the rear of 330 Leymoor Road, Golcar. In our earlier response dated 18th January 2022 we commented on the lack of detailed information in support of the application. The plans submitted with application 2022/93441 show four stables, a large infill exercise area and a large tack room. Access to the site is provided by a narrow strip between two existing properties. <u>No Commercial Activity</u> We would advise the applicant that Environmental Health are unlikely to support an application that would involve any use other than solely for private use by the occupants of 330 Leymoor Road. In the absence of detailed information with the application, we recommend conditions to protect the amenity of nearby sensitive receptors by way of noise and disturbance. <u>Electric Vehicle Charging Points</u> The Application suggests no vehicles will be associated with the proposed development. With four stables proposed it is envisaged that vehicles will be used, typically horse boxes, 4x4's and cars travelling to and from the site on a daily basis by people visiting to look after the horses. In the absence of details regarding parking facilities at the site a condition is recommended regarding the provision of electric vehicle charging points. <u>Noise</u> No information has been provided with the application as to the numbers of horses to be housed, the use of the exercise area and if any commercial use is proposed. The stable block is situated close to the rear of existing residential properties, we have serious concerns that noise from the proposed development, including but not limited to, noises from the animals themselves, vehicles coming and going, people looking after horses and the use of the exercise area could have a detrimental impact on the amenity of neighbouring properties. Therefore, a condition is necessary. <u>Construction noise</u> The proposed development is within a residential area where noise from construction activities has the potential to impact the amenity of nearby residents. Therefore, it will be necessary for a condition restricting construction working times. <u>Lighting</u> No information has been provided as to how the proposed development will be illuminated,		

there is potential for stray light and glare to detrimentally effect nearby sensitive receptors. To avoid any doubt a condition is recommended.

Waste management

Due to the close proximity of the proposed stables to neighbouring residential properties and the potential number of animals being housed we have concerns that odours and flies could cause nuisance to nearby sensitive receptors. No information has been provided regarding how waste is to be managed and where waste will be stored at the proposed development. To prevent loss of amenity to nearby sensitive receptors from odours and flies and to prevent contamination to nearby watercourses from waste associated with stables a condition is necessary.

Dust Management

No information has been given in regard to the materials to be used in connection with the surface of exercise area. Without detailed information we are unable to comment on the potential for this to cause loss of amenity to nearby sensitive receptors by way of dust. We therefore recommend a condition to produce a dust management plan, if information is provided confirming a hardstanding this condition can be removed.

Recommended Conditions

ST1 *Stabling - Private use - Condition*

The stable block hereby approved shall be used solely for private use by the occupants of 330 Leymoor Road and shall not be used for any commercial purposes.

Reason: To ensure the proposed development does not cause noise and/or odour pollution within neighbouring sensitive locations, 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.

ST2 *Exercise Area - Private use – Condition*

The Exercise area hereby approved shall be used solely for private use by the occupants of 330 Leymoor Road and shall not be used for any commercial purposes.

Reason: To protect the amenities of others from any intensification of use that would arise from the commercial use of the manège to accord with Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

EVC1 *Electric Vehicle Charging Points - Condition*

Before the Application can be determined, details of numbers and types of vehicles, stationed at and visiting the proposed development are required.

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.

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 noise sensitive premises
- 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.

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 LP52 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.

LC4 Artificial Lighting Not Permitted - Condition

This permission does not authorise the installation or use of any external artificial lighting.

Reason: For the avoidance of doubt as to what is being permitted and to safeguard the amenities of the occupiers of nearby properties in accordance with and Chapter 15 of the National Planning Policy Framework.

ST7 Stabling – Scheme for management of waste to be submitted - Condition

The stables hereby approved shall not be brought into use until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall provide details of how waste materials associated with the stables will be dealt with so that odour and flies are effectively controlled and adverse impacts on private water supplies and water courses are prevented.

Thereafter the management of waste shall be carried out in complete accordance with the approved details throughout the lifetime of the development.

Reason: To protect the amenities of the occupiers of the nearest unconnected residential properties, to ensure an adequate waste management plan is in place throughout the lifetime of the development and to accord with Policies LP52 of the Kirklees Local Plan and xxxxxx of the NPPF.

Dust Management Plan– Condition

Before the proposed use is brought into use, a dust management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail the control measures that will be taken to ensure that fugitive dust does not arise from the use of the exercise area. The approved dust management plan shall be implemented before use commences and retained thereafter.

Reason: In the interests of amenity and to accord with Policy LP24 of the Kirklees Local Plan