

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2022/93679 Field House 15 Wellington Street, Dewsbury, WF13 1BQ
Discharge condition 10 (CMP) on previous permission 2019/92962 for erection of additional storey and conversion of building to provide 23 self-contained apartments and A3 use in basement and part of ground floor (Listed Building within a Conservation Area)
Responding Date:
9th November 2023

Responding Officer:
SR

Responding Ref:
WK202334985

Comments

We have reviewed application 2022/93679 and make the following comments and recommendations. In our response dated the 2nd of May 2023 we were unable to recommend the discharge of the elements of condition 10 that fall within the remit of Environmental Health at that time, due to the following lack of information:

- information on dust screening to the building façade is required.
- responsible person information, monitoring/record keeping details are absent.
- a comprehensive CMP should include a brief description of the complaint procedure.

In support of the application the following documents have been submitted:

- Undated document titled, Key Contacts For: Residential Conversion at Field House, 15 Wellington Road, Dewsbury by YMG construction.
- Undated Traffic Management Plan by YMG construction.
- A revised Construction Phase Plan by YMG Construction, Rev 2

Condition 10 Construction Management Plan (CMP) includes highway safety aspects that are outside the remit of Environmental Health, this response therefore only relates to the actions that will be taken to minimise adverse impacts on amenity to nearby sensitive receptors by way of construction related dust, noise and lighting.

The new information confirms the responsible persons on site and that debris netting is to be applied to scaffolding at sensitive areas. The site manager has been confirmed as the responsible person for complaints, investigations will be carried out and outcomes passed up the chain within the company.

We accept the additional information and make the following recommendation.

Recommendations
Condition 10 - Construction Management Plan (CMP)

We recommend that elements of the Construction Phase Plan by YMG Construction, Rev 2, within the remit of Environmental Health are approved. However, condition 10 remains in place for the whole of the period of the construction phase, until completion and therefore cannot be fully discharged until all construction work at the site is completed.

The applicant is reminded that 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.