Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/90024 George Hotel, St George's Square, Huddersfield, HD1 1JA		
Partial demolition of Listed Building to facilitate refurbishment and extension of the George Hotel to form 90+ room C1 hotel with associated ancillary uses (including bar, restaurant, gym, conference room) (within a Conservation Area)		
Date Responded: 13th February 2023	**Responding Officer:** RM, MN, NH	**Responding Ref:** WK/202302350

The architectural proposals look to largely retain block A with a limited number of structural interventions. The existing blocks B and C are to be demolished in their entirety except for the listed façade along John William Street.

We have reviewed the application and supporting information and make the following comments and recommendations.

Air Quality

An Air Quality Assessment (ref:1620014217) (dated: 02/12/2022) by Ramboll has been submitted in support of the application. The proposed development is located in Huddersfield Town Centre which has been declared an Air Quality Management Area (AQMA 9) for exceedances of the annual mean nitrogen dioxide (NO_2) objective. An air quality assessment was undertaken to determine the impact of the development on local air quality during the construction and operational phases, and the likely exposure of onsite sensitive receptors to elevated pollution levels.

Construction Phase

The construction phase is expected to take 60 weeks and be completed by December 2024. Sensitive receptors have been identified close to the site including Huddersfield train station car park and places of work along John William Street, whose amenity is likely to be affected by fugitive dust emissions. In accordance with the Institute of Air Quality Management (IAQM) Guidance the potential dust emission magnitude has been identified for each stage of the development for demolition, earthworks, construction and trackout and from this the overall dust risk predicted. The assessment concludes that the overall dust risk is low and can be controlled by the implementation of best practice mitigation measures and a Construction Environmental Management Plan (CEMP).

Operational Phase

The proposed development does not include car parking facilities and it is anticipated that the trip generation associated with the development would have 230 Annual Average Daily Traffic (AADT) flow including 6 HDVs (servicing vehicles) spread across the road network in Huddersfield. As such a screening assessment was undertaken to determine the short-term NO_2, PM_{10} and $PM_{2.5}$ air quality concentrations, at sensitive receptors within the site. This is because the annual mean national air quality objectives do not apply at hotels unless used as a permanent residence. Monitoring data taken from Kirklees Councils Air Quality Annual Status Report (ASR) and Defra's background concentration maps was used to determine the background concentrations and predict future short-term exposure. It is noted that diffusion tubes measure long term exposure and cannot be used as a direct comparison with the short term 1-hour objective for NO_2. The assessment goes on to state that as none of the diffusion tubes exceeded 60 $\mu g/m^3$ it is unlikely there would be exceedances of the short-term hourly

objective of 200 µg/m^3.Therefore, it concludes that short-term air quality objectives for NO_2, PM_{10} and $PM_{2.5}$ are expected to be met at all onsite receptors.

Various elements were scoped out of the assessment as follows:

- Construction vehicle traffic, as this was unknown at the time of writing and likely to be temporary and not significant.
- Combustion plant emissions, as the development does not include any substantial combustion processes and air source heat pumps are to be installed.
- Odour Emissions as there are no significant odour sources near to or associated with the site.
- Ecological receptors, as there are no designated habitats near the proposed development.

Comments

Overall, we accept the methodology and conclusion of the air quality assessment and recommend a condition requiring a Construction Environmental Management Plan to control fugitive dust emissions during the construction phase of the development.

Noise

The applicant has submitted a Noise Impact Assessment authored by Mott Macdonald dated November 2022 Ref 100108576 - AC01 - P01. One long-term measurement was undertaken between the 23rd and the 27th of September 2022 and further attended short-term measurements were carried out around the perimeter of the hotel site boundary, the locations of which are shown in table 4.1. The site plan is shown in figure 3.1 and identifies noise sensitive receptors (NSRs) at John William Court (NSR1) and Lions Chambers (NSR2). The dominant noise source surrounding the site was road traffic noise from John William Street and vehicles driving up to Huddersfield Station car park. A summary of short term monitoring is given in table 4.3 and long term monitoring in table 4.5 and both are typical of a town centre environment.

Amenity within hotel rooms is not within the remit of Environmental Health but BS8233 does make reference to ambient noise in hotel bedrooms being similar to those for living accommodation (para 7.7.2 BS8233) and with the mitigation proposed, the submitted report shows they will meet with these levels.

The report proceeds to consider the noise break out from the hotel and at para 5.3 states there will be building services plant which may emit noise externally to the building. It is apparent that this has not been specified at this stage, however, the report states it will meet with Kirklees requirements and not exceed the pre-existing background noise levels. A condition is recommended to control this.

Deliveries and collections will access the western side of the hotel via Railway Street and away from NSRs. However, the reports states that for operational reasons, bin collections will be made on John William Street directly from an internal bin store at the northern extent of the hotel via doors leading directly onto John William Street. These collections are understood to occur once per day and will occur in the early morning and the report states these collections are likely to be audible at residences situated across John William Street from the hotel. Whilst the report talks about considering the context of the area, citing other commercial operations and HGV movements resulting in noise events, it detracts from the fact that the

proposed pick up area is directly opposite residential properties at John William Court and any early morning waste collections may lead to a loss of amenity. A condition is proposed to restrict the hours of waste collections from this entrance.

The proposed banqueting and event space is in the basement on the eastern side of the hotel but it does not have any windows and the proposed fire escape route is effectively lobbied so there are no doors opening directly from the event space onto John William Street. Therefore, any noise generated within this event space should be contained and is unlikely to result in noise break-out and this is accepted.

The findings of the report are accepted but conditions are recommended to protect the amenity of neighbouring properties.

Contaminated Land
A Phase I Contaminated Land Desk Study by Ramboll, dated 17 November 2022 (Ref: 1620014217 Issue 01) has been received in support of the application. The report includes geo-technical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the report.

The report details that the site comprises a singular four-storey Victorian-era hotel that is listed as Grade II building and occupies c.90% of the total site area. A small area of soft landscaping (shrubs) is located to the west of the site adjacent to the car park.

The site is within an area where coal deposits have been worked at shallow depth in the past. The preliminary conceptual model confirms the absence of any significant on-site sources of contamination have been identified from historic or current uses at the site. However, several off-site sources of contamination have been identified that may impact the development. These include, but are not limited to, the train station north of the site. Potential risks from human health include a moderate risk from ground gases from any possible coal workings beneath the site and a low to moderate risk from unknown made ground beneath the site. Potential contaminants may include heavy metals, total petroleum hydrocarbons (TPHs), polyaromatic hydrocarbons (PAHs), and asbestos. The report concludes by recommending a ground investigation to fully characterise the ground conditions beneath the site to assess the potential contamination land risks.

Overall, we accept the Phase I Contaminated Land Desk Study by Ramboll, dated 17 November 2022 (Ref: 1620014217 Issue 01). We have no objection to the application on contaminated land grounds, subject to the necessary contaminated land conditions being imposed on any permission granted.

Loss of amenity caused by the construction of the development
Because of the scale of the development and the location in the busy Town Centre there is a significant potential for loss of amenity to the occupiers of nearby properties and pedestrians from noise, vibration, and dust from the construction phase of the development. It is therefore necessary for a condition requiring a Construction Environmental Management Plan (CEMP).

Recommendations

NC10 Noise from Fixed Plant & Equipment - Condition

The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. “Rating level” and “background sound level” are as defined in BS 4142:2014+A1:2019.
Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise 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.

HUC2 Hours of Use for Commercial/Industrial - Condition
There shall be no operational use of the doors on John William Street outside the hours of -

- 0700hrs and 2300hrs Monday to Saturday and
- 0900hrs to 2300hrs Sunday

Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

CLC2 Submission of a Phase 2 Intrusive Site Investigation Report - Condition
Following demolition, no works (other than those required for a site investigation report) (other than those required for a site investigation report) shall commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and 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. 183 and 184 of the National Planning Policy Framework

CLC3 Submission of Remediation Strategy - Condition
Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2) further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.
Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework

CLC4 Implementation of the Remediation Strategy - Condition
Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (CLC3). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, 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. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out

in accordance with the approved revised Remediation Strategy.

CLC5 Submission of Verification Report - Condition
Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures 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. 183 and 184 of the National Planning Policy Framework

CLC7 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 2021. 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.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.

CEMPC Construction Environmental Management Plan - Condition
Prior to development commencing a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- 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.
- Dust arising from all construction related activities, which should include measures to monitor and record the emissions of dust during construction

A communications plan detailing the responsible person, their contact details and how this will be communicated to local residents and the Local Authority must be included.
The agreed plan shall be adhered to throughout the construction of the development.
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.

CEMPF Construction Environmental Management Plan - Footnote
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

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.

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.