

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2023/90190 - Land at, Yew Tree Road/Burn Road, Birchencliffe, Huddersfield, HD2 2EQ
Discharge conditions 5, 6, 9, 10, 11, 12, 13, 14, 15, 20, 21, 23 on previous permission 2018/90776 for outline application for erection of up to 10 dwellings
Responding Date:
20th December 2023

Responding Officer:
SR

Responding Ref:
WK/202340064

Comments

We have reviewed the new information in relation to condition 20 only.

Condition 20 Construction Management Plan (CMP)

A Construction Plan, dated December 2022, drawing number 2215-0314-P02, has been submitted in relation to the discharge of Condition 20, the submitted documents have been assessed in relation to the following areas which are within the remit of Environmental Health.

- Noise and vibration from construction activities and vehicle movements
- Dust from construction activities
- Stray light and glare from artificial lighting used on site

We recommend the planner seeks approval from other interested consultees.

Working Hours

The plan clarifies working hours as Monday to Friday 7.30am to 18:00 and Saturday 8:00 to 13:30. There will be no noise generating operations on Saturday afternoons or Sundays and Bank Holidays. Communication regarding the works is to take place. The site manager has been identified as the responsible person on site.

Construction Noise and Fugitive Dust

The plan confirms that a wheel wash facility will be available at the site exit, ensuring mud and debris should be cleaned from vehicles before they leave site.

It goes on to list controls and mitigations necessary for noise and dust which will be employed at the site. Best Practicable Means will be employed and the site manager will be responsible for daily monitoring.

Temporary Artificial Lighting

Lighting will largely be limited to small areas and designed so as not to impact existing nearby receptors.

We accept the submitted information and make the following recommendation.

Recommendations
Condition 20 - Construction Environmental Management Plan (CEMP)

We recommend that the items within the remit of Environmental Health contained within the Construction Plan, dated December 2022, drawing number 2215-0314-P02 are approved. However, condition 20 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.