Kirklees COUNCIL

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/90508 6 Oakfield Road, Birkby, Huddersfield, HD2 2XF		
Erection of side and rear extension to existing dwelling, demolition of existing garage and erection of detached garage/store and erection of detached building to create dwelling forming annex accommodation associated with adj, 6, Oakfield Road, Birkby, Huddersfield, HD2 2XF (within a Conservation Area)		
Responding Date: **21st March 2023**	**Responding Officer:** **SR**	**Responding Ref:** **WK202307220**

Comments

We have reviewed application 2023/90508 and make the following comments and recommendations.

Electric Vehicle Charging Points

The design, access and heritage statement titled Proposed Alterations and Additions at 6 Oakfield Road, Huddersfield, HD2 2XF, dated 13 February 2023, Revision 0, submitted in support of the application, section headed:- Planning policy/design 'an electric vehicle charging point is provided'. In order to future proof the development and ensure it meets the requirements of the West Yorkshire Low Emissions Strategy Group, a condition requiring charging points is therefore necessary.

Contaminated land

The site is not on land identified as potentially contaminated on our mapping systems. The proposed development will involve ground works therefore it will be necessary to recommend a condition relating to unexpected ground contamination.

Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, for this reason a condition is necessary to limit the hours of operation for the site.

Recommended Conditions

EVC1 Electric Vehicle Charging Points - Condition

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 the requirements of the current West Yorkshire Low Emission Strategy (WYLES) document. The approved dedicated facilities for charging electric vehicles shall be installed prior to occupation and retained for use 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, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

EVF1 Electric Vehicle Charging Points – Footnote

- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.
- 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 in relation to Approved Document S.

CLC6 Reporting of Unexpected Contamination - Condition
In the event that contamination, or the presence of coal (and/or evidence of coal workings) not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works 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 in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works 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.

CLC 7 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 2019. 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

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.