

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/91342 - Moss Edge Farm, Moss Edge Road, Holmbridge, Holmfirth, HD9 2SD		
Prior notification for change of use from agricultural building to three dwellings with associated works		
Responding Date: 24 May 2023	Responding Officer: Mohammed Nasim	Responding Ref: WK202314600
<p><u>Comments</u></p> <p><u>Noise</u> The submitted Planning Statement from Robert Halstead Chartered Surveyors & Town Planners dated May 2023 states the farm is no longer in operation and the proposed dwellings would therefore be located adjacent to the other proposed dwellings. As such, they would neither cause any noise issues, nor be vulnerable to noise from other sources. This is accepted and no conditions are recommended.</p> <p><u>Contaminated Land</u> The submitted Planning Statement from Robert Halstead Chartered Surveyors & Town Planners dated May 2023 states the site was sold as a <i>'freehold stock rearing farm of approximately 97 acres, which included the farmhouse and the other agricultural buildings on site'</i>. The Methodology Statement from Hinchcliffe dated 02 May 2023 Ref 166-23-R1 states an insulated solid floor would be constructed. Due to this previous agricultural use and proposed groundworks, there is a likelihood of potential land contamination and with a sensitive end use, contaminated land conditions are recommended.</p> <p><u>Informatives</u></p> <p><u>Protection of a Drinking Water Supply</u> The proposed development is in a rural location and relies on alternative sources of water for its drinking water supply. It is therefore important that it does not have an adverse impact on existing private water supplies and/or the collection grounds of private water supplies which could constitute a potential risk to human health. The applicant must ensure a suitable, sufficient and wholesome drinking water supply can be provided for the proposed development and that the use of the proposed supply will not adversely impact on other private water supplies in the vicinity. The drinking water must comply with drinking water quality standards so as not to constitute a potential danger to human health, and it must be acceptable to consumers in appearance, odour and taste.</p> <p>Wholesome is defined in Part 2 Regulation 4 of the Private Water Supplies (England) Regulations 2016 or in any new legislation that supersedes this. For further information regarding Private Water Supplies contact: watersampling@kirklees.gov.uk.</p> <p><u>Electric Vehicle Charging Points</u> In an application of this nature, it is expected that facilities for charging electric vehicles and other ultra-low emission vehicles are provided in accordance with the National Planning Policy Framework and <i>Air Quality & Emissions Technical Planning Guidance</i> from the West Yorkshire Low Emissions Strategy Group. A Standard Electric Vehicle Charging point should provide a continuous supply of at least 16A (3.5kW) for each residential unit that has a</p>		

dedicated parking space

Recommended Conditions

CLC1 Submission of a Phase 1 Preliminary Risk Assessment Report - Condition

Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study 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

CLC2 Submission of a Phase 2 Intrusive Site Investigation Report - Condition

Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (CLC1), groundworks (other than those required for a site investigation report) shall not 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.

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

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 (that part of) 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. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be 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

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.