

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/92253 and 2023/92254 Land at, Green Acres Close, Emley, Huddersfield, HD8 9RA		
Discharge conditions 6 (highways), 7 (PROW), 10 (CEMP), 11 (drainage), 27 (ball stop netting) on previous permission 2020/91215 for outline application for erection of residential development		
Responding Date: 9 th October 2023	Responding Officer: SR	Responding Ref: WK202331331
<p><u>Comments</u></p> <p>In support of the application a Construction Management Plan, titled Green Acres Close, Emley, Huddersfield, dated 12/09/2023 and a plan dated the 6th of October 2023, ref Z155 – 005 have been submitted.</p> <p>We have reviewed the submitted documents in relation to the following areas which are within the remit of Environmental Health.</p> <ul style="list-style-type: none"> • Noise and vibration from construction activities • Dust from construction activities • Stray light and glare from artificial lighting used on site <p><u>Hours of operation and communication</u></p> <p>The plan clarifies that neighbours will be contacted by means of letter drops prior to commencement and as the project develops. Responsible persons have been identified and contact details shall be displayed to the public at pertinent points, for example the site entrance.</p> <p>The plan informs construction hours of; 07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00 hours on Saturdays, these with match our standard operating hours that require construction related noise to be inaudible beyond the site boundary outside these hours.</p> <p>The plan gives a description of the programme of works; starting October 2023, with the site concluding early in 2025 if the set target is met.</p> <p>A complaints procedure is included within the plan, confirming response times and record keeping.</p> <p><u>Construction Related Noise</u></p> <p>The plan confirms that construction activities will be undertaken following the guidance within British Standard BS 5228 ‘Noise and vibration control on construction and open sites’, site specific controls are listed.</p> <p>Monitoring and record keeping is included within the plan and Kirklees Council Officers will expect these documents to be available for inspection on site.</p> <p><u>Fugitive Dust Controls</u></p> <p>The plan confirms that construction activities will be undertaken following the guidance within the Institute of Air Quality Management (IAQM) document “<i>Guidance on the assessment of dust from demolition and construction</i>”, it goes on to include tables from the guidance, including control mechanisms to be employed within the appendices. Monitoring and record</p>		

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Artificial Construction Related Lighting

According to the plan artificial light will only be used within dwellings.

We accept elements of the Construction Management Plan, titled Green Acres Close, Emley, Huddersfield, dated 12/09/2023, that are within the remit of Environmental Health and make the following recommendation.

Recommendations

Conditions 10(2020/91215) and condition 14 (2021/93286) Construction (Environmental) Management Plan (CEMP).

We recommend that the Construction Management Plan, titled Green Acres Close, Emley, Huddersfield, dated 12/09/2023 and a plan dated the 6th of October 2023, ref Z155 – 005 is approved. However, the CEMP condition 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.