

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2023/92317 Newsholme Food Group, New Hey Road, Oakes, Huddersfield, HD3 4BZ
Erection of extensions to form production and warehouse areas
Date Responded:
11 March 2024
Responding Officer:
RM, MN
Responding Ref:
WK/202404506

Wooltex UK Ltd are an established textile company which has recently taken over the premises on New Hey Road to allow for an expansion of the spinning part of the business. The application seeks permission to extend the premises by constructing extensions to the existing building to provide better use of space and working systems. We have reviewed the application and supporting information and make the following comments and recommendations.

Noise

A Noise Assessment has been submitted authored by Druk Limited dated 20 October 2023 Ref DRUK/ACC/RS/WSCLNHRH/3246. Para 3 describes the site location with figure 1 showing the surrounding areas and the nearest noise sensitive receptors (NSRs), namely Mountbatten Gardens, Bay Close, Peckett Close, Millfield Close and Raynor Close to the West, East and South East of the existing facility.

Noise surveys were undertaken between 1400hrs to 1600hrs and 2100 to 2300hrs on the 12th of October, between 1000hrs to 1200hrs on the 16th of October and between 0200hrs to 0300hrs on the 17th of October 2023 from 3 measurement positions (MPs) as shown in figure 3. The report states overall, the existing noise climate was believed to be characteristic of a largely sub-urban environment subject to noise contributions from: process noise from the existing Wooltex facility, road traffic noise, noise from the infant and junior school and some noise associated with the surrounding residential premises. A summary of the findings is given in table 2 (MP1), table 3 (MP2) and table 4 (MP3).

We would expect a BS4142 assessment to be undertaken to determine the level of noise from the proposal but the report states that as the final configurations of the process work flows and equipment within the proposed extensions to the Wooltex Spinning Company facility have yet to be finalised, a full assessment of the likely break-out noise levels from the processes within the new extensions was not possible. The assessment will need to be conducted once the final configurations of the process work flows and equipment have been decided.

A condition is recommended for a further/addendum noise assessment to be submitted once details have been finalised.

Air Quality

An Air Quality Assessment by Northern Design (dated: September 2023) has been submitted in support of the application. The proposed development is not within an Air Quality Management Area or near to a road of concern. The assessment states that the whole building has a centralised energy plant providing boilers for heat and hot water. There is existing car parking on site with the proposal to increase this to accommodate another 10 spaces. The report concludes that the additional traffic generated because of the development is unlikely to have a significant impact on air quality and overall will not be

exposing future occupants of the proposed industrial development to poor air quality. We accept the information provided and have no further comments to make regarding air quality.

Contaminated Land

According to our records the site of the proposed development is near to land that is potentially contaminated due to its former use. Therefore, we recommend conditions relating to unexpected contamination being encountered during the construction phase.

Loss of amenity caused by the construction of the development

Because of the large scale of the development and the proximity of residential properties to part of] the site boundary there is a significant potential for loss of amenity to the occupiers of nearby properties from noise, vibration, dust and artificial light from the construction phase of the development. Therefore, we recommend a condition requiring a Construction Environmental Management Plan (CEMP) to be submitted.

Electric Vehicle Charging Points (EVCPs) - Advisory

We understand from the submitted information that there will be the provision of Electric Vehicle Charging Points (EVCP) at the development. These proposals should meet the recommendations in the West Yorkshire Low Emission Strategy (WYLES) current at the time of the application. Building regulations may also be required and the applicant is advised to contact their Building Control provider for further information in relation to Approved Document S.

Recommended Conditions

NC8 Noise Report required for proposed noise generating use close to existing noise sensitive premises - Condition

Before construction work commences, a further/addendum noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- a) an assessment of all noise emissions from the proposed development
- b) details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises
- c) a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such measures shall be thereafter retained.

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.

NF4 Competent Person - Footnote

All Noise Assessments should be carried out by a competent person. The applicant may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300

999 9675) for a list of members.

CLC6 Reporting of Unexpected Contamination - Condition

If contamination, or the presence of coal 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. 189 and 190 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. 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
- Artificial lighting used in connection with all construction related activities and security of the construction site.

A communications plan detailing the responsible person, their contact details and how this will be communicated to 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

No construction related noise shall be audible beyond the site boundary outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays.

For further information regarding dust control, guidance can be found in the Institute of Air Quality Management (IAQM) document "*Guidance on the assessment of dust from demolition and construction*" Version 2.1 2023.

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.