

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2023/93464 Land at Lingards Road, Slaithwaite, Huddersfield, HD7 5HY

Discharge of conditions 4 (Phase II report), 5 (Remediation Strategy), 8 (Construction Environmental Management Plan), 9 (CEMP: Biodiversity), 10 (road condition survey), 11 (estate roads), 12 (Lingards Road footway), 13 (highway retaining walls), 14 (highway embankments), 15 (Stability Remediation Strategy), 16 (drainage infrastructure in highway), 17 (drainage scheme), 18 (flood routing), 19 (temporary drainage), 20 (Arboricultural Method Statement), 21 (bridge details), 22 (green retaining wall), 23 (Ecological Design Strategy), 24 (ecological measures), 25 (materials), 26 (footpath connections), 27 (landscaping), 28 (lighting), 29 (temporary waste arrangements), 30 (pedestrian improvements), 31 (pedestrian improvements) and 33 (cycle parking) of previous permission 2020/93954 for erection of 42 dwellings and associated works

Responding Date:
3rd July 2024

Responding Officer:
NH

Responding Ref:
WK/202420701

Comments

Our comments relate to condition 8 that are within the remit of Environmental Health.

Condition 8 - Construction Environmental Management Plan (CEMP)

A Construction Environmental Management Plan, titled Land at Lingards Road, Slaithwaite, Huddersfield, HD7 5HY, dated November 2023, has been submitted in relation to the discharge of Condition 8. The document is a revised version of the earlier CEMP commented on in December 2023. 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 note the revised report and the additional information provided. We accept the submitted information and make the following recommendation.

Recommendations
Condition 8 - Construction Environmental Management Plan (CEMP)

We recommend that the items within the remit of Environmental Health contained within the revised Construction Environmental Management Plan, titled Land at Lingards Road, Slaithwaite, Huddersfield, HD7 5HY, dated November 2023 are approved. However, condition 8 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.