

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2024/91242 - Land north east of Shepley Road, Stocksmoor, Huddersfield, HD4 6XW
Erection of residential development (up to 50 dwellings) with associated access, parking, public open space, landscaping and infrastructure
Responding Date:
28 May 2024
Responding Officers:
Mohammed Nasim
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Responding Ref:
WK202416392
Comments
Noise

The applicant has submitted a Noise Impact Assessment authored by ENS dated 05 April 2024 Ref NIA-10692-23-10857-v2 Shepley Road. Para 1.2 describes the layout of the site and identifies the railway line to the north along with the local road network. Comment is made on the number of trains per hour for daytime and night time periods based upon data within the <https://www.realtimetrains.co.uk/> website.

Noise monitoring was carried out on Tuesday the 20th of December 2022 from 2 noise monitoring positions (MPs) as shown in Appendix 2. A summary of the findings is given in table 3.1 with the number of train movements noted during the monitoring period. Para 3.3 states the noise levels at the northern boundary of the site (MP1) were due to intermittent rail movements along the adjacent railway line and analyses the number of train movements, calculating the daytime ambient noise level at the northern site boundary at 45dB LAeq (0700-2300). The night-time ambient noise level is calculated at 38dB LAeq (2300-0700) based on 4 no. train passes per night. Road traffic to the south of the site(MP2) has also been analysed.

The data within the spreadsheet in 4.2 is based upon a typical standard double-glazed window in conjunction with 2 no. standard trickle vents and the calculation shows it meets with the internal requirements of BS8233. The measured daytime levels show the external amenity areas meet with the external requirements of BS8233. No mitigation measures are therefore necessary.

The findings of the report are accepted.

Contaminated Land

A Preliminary Geoenvironmental Investigation report authored by Lithos, dated April 2024 (ref: 4594/1A) has been submitted with the application. The report includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspect of the report.

The report considers site historical information, geology, and other environmental information to assess the geoenvironmental issues affecting the site. A site walkover was completed by Lithos in November 2022. The site is described as a grassed field with evidence of recent pastoral farming use. Since 1854, the site has been occupied by fields and is undeveloped. The surrounding historic land uses include quarries, reservoirs, and a railway.

Detailed information is also provided in relation to the anticipated ground conditions. No made ground is expected. No drift soils are recorded, but some residual soils are expected. The site

is underlain by Grenoside Sandstone. The site is in a Coal Mining Development Low Risk Area, and the shallowest coal seam, Thin Coal, is believed to be at about 25m depth.

In addition to geology, other environmental setting information has been used to inform the preliminary conceptual model, and several potential sources, pathways, and receptor linkages have been identified. The most significant of these is the migration of hazardous gas from nearby former quarries or dermal contact and ingestion/inhalation of any contaminants within the topsoil to the end users (residents). As a result, the report concludes that a Phase II investigation is necessary, and in Section 7 of the report, the scope of the proposed investigation is outlined.

We accept the preliminary risk assessment for the site and the following contaminated land conditions and footnote are recommended.

Electric Vehicle Charging Points (EVCPs)

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 *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group. An advisory relating to charging points is therefore necessary.

Construction Environmental Management Plan (CEMP)

The development site is classed as a Major and therefore, a comprehensive, site specific CEMP will be required detailing all of the control measures to ensure there is no loss of amenity to the occupiers of neighbouring properties. This should include, but is not limited to, noise & vibration, dust, lighting, site contact details etc.

Recommended Conditions

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

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. 189 and 190 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. 189 and 190 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. 189 and 190 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.

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.

EVF1 Electric Vehicle Charging Points – Advisory Footnote

- 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.
- 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.

- To futureproof the development, we would encourage the applicant to provide these in accordance with the current *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy (WYLES) Group

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.