

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2024/91537 former, Stile Common Infant & Nursery School, Plane Street, Newsome, Huddersfield, HD4 6DF		
Discharge of conditions 3 (CMP) and 4 (CEMP) on previous permission 2020/92067 for erection of 30 dwellings		
Responding Date: 8 th July 2024	Responding Officer: SR	Responding Ref: WK202420937
<p><u>Comments</u> These comments are in relation to Condition 4 only which is within the remit of Environmental Health.</p> <p>Condition 4 Construction Environmental Management Plan (CEMP) In our earlier response dated the 24th of June 2024 we acknowledged the plan submitted but required further clarification in relation to site-specific mitigation measures. In the support of the discharge of condition 4 a Construction Environmental Management Plan (CEMP) authored by EC Construction on 15th March 2024 and a Construction Noise and Vibration Management Plan by Jack Lunn has been submitted. We have reviewed the additional document provided and considered the existing CEMP, the contractor will register the site on the Considerate Constructors Scheme to promote the Code of Considerate Practice, which will ensure third party audits are undertaken in relation to construction controls, the site perimeter will be demarcated and secured by a solid construction perimeter fencing or hoarding which will assist with fugitive dust control. Appropriate noise controls have been identified (including a monitoring system), within the Construction Noise and Vibration Management Plan.</p> <p><u>Recommendations</u> Condition 4 Construction Environmental Management Plan (CEMP) We accept the Construction Environmental Management Plan (CEMP) authored by EC Construction on 15th March 2024 and the Construction Noise and Vibration Management Plan by Jack Lunn. However, condition 4 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.</p> <p>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</p>		

