

Consultation Response from: KC Environmental Health (Pollution & Noise Control)

2024/91918 East Bierley Playing Fields, Hunsworth Lane, East Bierley, BD4 6PU

Discharge of details reserved by conditions 3 (C(E)MP), 4 (drainage), 21 (3G/synthetic pitch), 23 (drainage) and 25 (crime and anti-social behaviour) of previous permission 2021/90357 for works to existing sports facilities including erection of a clubhouse, additional changing facilities building, boundary treatments, storage facilities and floodlighting, works to existing pitches, and creation of new hybrid and 3G/synthetic pitches, multi sport training area and car park

Responding Date:
1st August 2024

Responding Officer:
SR

Responding Ref:
WK202423715

Comments

Condition 3 (CEMP)

In support of the discharge of condition 3 a Construction Environmental Management Plan, ref: S23-314, dated May 2024 has been submitted. Environmental Health consider residential amenity aspects of the condition only and the planner should seek the views of other interested consultees.

The plan is designed to be a fluid document enabling improvements should they be necessary as the project progresses. Section 3 lists the responsibilities of management at the site. Monthly updates will be posted to nearby residents.

The hours of construction are listed, they follow the times generally accepted by Kirklees Council

Fugitive Dust Controls are listed in Section 4 and Table E of the report.

Noise and vibration controls are listed in table F of the report.

The report confirms construction related lighting will not be necessary.

A complaints procedure will be implemented.

We accept the elements in the report within the remit of Environmental Health.

Recommendations

Condition 3 (CEMP)

We accept the Construction Environmental Management Plan, ref: S23-314, dated May 2024. However, condition 3 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.

