

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

2024/92683 Various locations, A629 Halifax Road, Huddersfield

Discharge of details reserved by conditions 8 (archaeological investigation), 9 (Arboricultural Impact Assessment), 20 (landscaping) and 21 (Air Quality Impact Assessment) of previous permission 2021/92734 for improvement and widening of A629 to include junction improvements; re-positioning of footways and footway improvements; pedestrian crossing provision; alteration, demolition and erection of walls; construction of retaining walls; erection of fencing; hard and soft landscaping to include the removal of trees and replacement planting; replacement street lighting; change of use of land to highway and change of use to and formation of car park on land adjoining 103 Halifax Road (within a Conservation Area)

Responding Date:
 14th July 2025

Responding Officer:
 SR

Responding Ref:
 WK202519870

Comments

Condition 21

In our last response dated the 7th of October 2024, we accepted the Air Quality Mitigation Statement by Arcadis (revision 1, 10th September 2024); however, we recommended that condition 21 cannot be fully discharged until a dust mitigation plan has been approved by the Local Planning Authority.

A Construction Dust Management PLAN (CDMP) by CR Reynolds has been submitted to address the omission. Condition 21 requires a dust mitigation plan which should consider dust arising from all construction related activities and any necessary mitigation measures to control dust during construction.

We have reviewed the submitted document and are satisfied it identifies sensitive receptors, dust and exhaust generating related activities have been identified. The necessary activities to mitigate and reduce the impact of these activities are listed. Staff will be trained and responsible people for monitoring, auditing and investigating complaints have been identified. The plan will be reviewed to ensure any improvements that are necessary during the project are acted upon and remain in place.

We accept the plan and make the following recommendation.

Recommendations

Condition 21 (Air Quality Impact Assessment and Mitigation)

We have previously accepted the Air Quality Mitigation Statement by Arcadis (revision 1, 10th September 2024), we also accept the Construction Dust Management PLAN (CDMP) by CR Reynolds. Whilst we can recommend the discharge of the condition it is necessary that all the controls and mitigation required in both documents are fully implemented during the life of the construction and operation of the project.

NOTES

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.