

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2024/92855 St Patricks Centre, 2 Trinity Street, Huddersfield, HD1 4DA
Change of use from mixed use community hall, dance studio and residential flat to place of worship (F1) with associated alterations, refurbishment works and retention of residential flat (C3) (within a Conservation Area)
Responding Date:
25th October 2024

Responding Officer:
SR

Responding Ref:
WK202432666

Comments

We have reviewed the application and supporting information, we offer the following comments. The application concerns the repurposing of the existing building to provide a place of worship with ancillary facilities and retention of existing residential apartment. It would appear internal alterations are proposed and there is no additional parking provision.

Air Quality

The proposed development is situated within an Air Quality Management Area, it is possible that it will introduce sensitive receptors into an area of known poor air quality.

The West Yorkshire Low Emissions Strategy (WYLES) -Technical Planning Guidance, divides applications into 3 impact types (Minor, Medium and Major) using specific criteria to determine the type. Actions and mitigation requirements are dependent on the development use class and which impact type it is classified as.

We consider that the application will likely to be classified at least as a medium development. In the first instance we expect an Air Quality Screening Assessment to be submitted.

If the screening assessment demonstrates a significant impact on air quality, we would expect a full detailed Air Quality Impact Assessment to be submitted. We therefore recommend a condition.

Contaminated Land

The site of the proposed development is adjacent to an electric substation and the railway station/historic coal depot. Whilst groundworks do not appear to be proposed there may be some minor works, we therefore recommend a condition in relation to unexpected contamination.

Recommended Conditions
AQIAC2 Air Quality Impact Assessment – New receptors in area of poor AQ – Condition

Before the development is brought into use an Air Quality Screening Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall determine the impact that the poor air quality in the area will have on the future occupiers of the proposed development and provide details of any necessary mitigation measures that will be provided to address any such adverse impact. The approved mitigation measures shall be implemented within 3 months from the date of approval and retained thereafter.

Reason: For promoting sustainable development and transport and conserving the natural environment in accordance with parts 2, 9 & 15 of the NPPF and LP20, LP24, LP47 of the Local Plan

Useful Sources of information:

- Department of the Environment Food and Rural Affairs (DEFRA) Technical Guidance LAQM TG (22)
- West Yorkshire Low Emissions Strategy (WYLES) Air Quality & Emissions Technical Planning Guidance.
- Department of the Environment Food and Rural Affairs (DEFRA) Air Quality Appraisal: Damage Cost Guidance - March 2023
- Department of the Environment Food and Rural Affairs (DEFRA) Emissions Factors Toolkit v12.0 User Guide - November 2023
- National Planning Policy Framework (NPPF) 2023

CLC6 Reporting of Unexpected Contamination – Condition

If contamination, the presence of coal and/or evidence of coal workings not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works 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 in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works 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 2021. 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.

Recommendations

FS1 Food Safety - Footnote

From the plans submitted it would appear a small kitchen is proposed. It is recommended that prior to development commencing the applicant should contact the Food Safety Team of Environmental Services to arrange an advice visit to discuss food safety and hygiene requirements including an appropriate layout. The Food Safety team can be contacted on 01484 22100 (ask for food safety) or by email at food.safety@kirklees.gov.uk.