

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

2024/91774 Northern Event Structures Ltd, 45 Coal Pit Lane, Lower Cumberworth, Huddersfield, HD8 8PL

Demolition and rebuilding of dwelling and barn to create 2 No dwellings

Responding Date:
14th January 2025

Responding Officer:
SR

Responding Ref:
WK202500223

Comments- Pre determination is required

We have reviewed the application and supporting information, we offer the following comments. The application concerns the demolition of the existing structures which includes a dwelling, barn and some outbuildings and construction of 2 new dwelling houses. The site is situated next to a large working site, within a rural setting.

Contaminated Land Pre Determination Information required

This site has been identified on our mapping system as potentially contaminated land (OUR SITE REF 9/23), historic landfill, former brick yard/clay pit. It is situated in a Coal Authority high risk development area. Our record indicate it is situated adjacent to a former coal pit with other uses at this site listed as solid pipe and scrap refractory. The site itself contains a barn and outbuildings which may have contaminative sources. The proposed site is next door to a site that has had commercial uses for some time, currently predominantly freight storage and distribution.

In support of the application a Coal Investigation by RGS, ref: J3381/16/E/C, dated March 2019 has been submitted. This report is largely geotechnical in nature which is beyond the remit of Environmental Health.

Due to the nature of the proposed development and the potential contamination at the site and the off site sources we are unable review or accept this report in isolation. We require the submission of a Phase 1 Preliminary Risk Assessment Report and a Phase II Intrusive Site Investigation Report before determination. Without these reports we are unable to support the current application.

We require these reports to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 197 of the National Planning Policy Framework.

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.

Noise

In support of the application a noise assessment report by ENS Limited, ref:- NIA-10990-23-11185-v1, dated the 8th of August 2023 has been submitted.

Noise monitoring was undertaken at 2 locations on site during the time period of the 4th through to the 5th of July 2023. The data is summarised in Table 3.1, with road traffic on Coal Pit Lane, birdsong, occasional distant HGV movements at Barden Freight during the daytime identified as noise sources. The report identifies that the business premises only works during daytime hours and that on the day of the noise monitoring represented a worst case scenario. The report concludes that due to the relatively low levels of ambient noise monitored at the site, standard double glazing and standard trickle vents are appropriate throughout the development. No mitigation is recommended for garden areas.

We accept the findings of the report and recommend a condition to secure the implementation of the mitigation as per the noise impact assessment report.

Recommended Conditions

NC14 Implement Agreed Noise Mitigation Measures – Condition

The development shall not be brought into use until all of the measures specified in the approved Noise Impact Assessment ENS Limited, ref:- NIA-10990-23-11185-v1, dated the 8th of August 2023, have been carried out in full and such measures shall be thereafter retained.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.