

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2024/93189 - Unit 19-20, Headfield Mills, Savile Road, Savile Town, Dewsbury, WF12 9LQ		
Erection of single storey extension, external alterations to shopfront to front and side elevation, change of use of part vacant area into class E Cafe and formation of car park access		
Responding Date: 19 February 2025	Responding Officer: Mohammed Nasim	Responding Ref: WK202503987
<p><u>Comments</u></p> <p><u>Hours of Use</u> The application states the proposed hours of use as 0800hrs to 2200hrs Monday to Sunday. A condition is recommended to secure these hours in the interests of protecting amenity.</p> <p><u>Potentially Contaminated Land</u> The site sits within 200m of former landfill and due to its former use (our map ref 526/5), is potentially contaminated. A condition is recommended for any unexpected contamination encountered during any groundworks.</p> <p><u>Construction</u> A condition is recommended to secure the hours of any construction including to the car park in order to protect the amenity of neighbouring occupiers during this phase.</p> <p><u>Recommended Conditions</u></p> <p>HUC1 Hours of Use Open for Customers - Condition The premises, shall not be open for business including deliveries to or dispatches from the premises, outside the hours of 0800hrs to 2200hrs Monday to Sunday. Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.</p> <p>CLC6 Reporting of Unexpected Contamination – Condition If contamination, the presence of coal and/or evidence of coal workings 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.</p> <p>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</p>		

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. 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.