

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

2025/91579 - The Homestead, Hurst Knowle, Almondbury, Huddersfield, HD5 8SG

Demolition of the former Homestead care home and erection of 28 dwellings, comprising 20 apartments and 8 bungalows, with access from Hurst Knowle and associated external works including landscaping

**Responding Date:
28th August 2025**

**Responding Officer:
MN/SR**

**Responding Ref:
WK202524957**

Comments

Noise

The applicant has submitted a Noise Impact assessment authored by ENS dated 21 May 2025 Ref NIA-11874-25-12143-v1 Hurst Knowle. It outlines the proposal and describes the noise levels in the immediate acoustic environment as relatively low, with the ambient noise climate characterised by local and distant road traffic noise.

Noise monitoring was carried out on Tuesday the 14th of January 2025 from a single monitoring position as shown in Appendix 2 and a summary of the results is given in table 3.1 with comment made about low traffic flows on Hurst Knowle during the monitoring period.

As external levels are relatively low, no specific mitigation is required and so standard glazing and ventilation is specified. Similarly, no specific mitigation is required to the external amenity areas and as it is understood that external boundary fences are to be erected, this will afford further mitigation.

The findings of the report are accepted.

Contaminated Land

In support of the application the following reports have been submitted:-

- Phase 1 Geo-environmental Report by Haigh Huddleston Associates, dated January 2025, ref: E24/8263/R001
- Geo-environmental Ground Investigation Report by Haigh Huddleston Associates, dated May 2025, ref: E24/8263/R002

In order to gain an understanding of the site setting we have reviewed the above reports and the planning history of the site. An earlier application 2022/90280 included contaminated land reports (Phase I Geo-Environmental Desk Study Report by HSP Consulting dated 1st September 2020 (ref: C3257/PI)

• Phase II Geo-Environmental Assessment Report by HSP Consulting dated 15th December 2020 (ref: C3257/P11 – Revision A and March 2022 (ref: C3257/PII – Revision B), which Environmental Health commented on, these are available on the planning portal and have not been considered by the consultant. Due to earlier reports indicating a gas risk on site and gas measures were considered appropriate at site.

Whilst we do not object to the application, we are unable to accept the current reports and recommend conditions in relation to contaminated land.

Electric Vehicle Charging Points (EVCPs)

In an application of this nature, it is expected that facilities for charging electric vehicles and other ultra-low emission vehicles are provided in accordance with the National Planning Policy Framework and *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group. An advisory relating to charging points is therefore necessary.

Construction

A condition is recommended to control the hours of construction in order to protect the amenity of neighbouring occupiers during this phase.

Recommended Conditions

CLC1 Submission of a Phase 1 Preliminary Risk Assessment Report - Condition

Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and 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 197 of the National Planning Policy Framework

CLC2 Submission of a Phase 2 Intrusive Site Investigation Report - Condition

Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (CLC1) groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and 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 197 of the National Planning Policy Framework

CLC3 Submission of Remediation Strategy - Condition

Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2) further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: 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

CLC4 Implementation of the Remediation Strategy - Condition

Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (CLC3). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks 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 shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: 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

CLC5 Submission of Verification Report - Condition

Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures 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 197 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.

EVF1 Electric Vehicle Charging Points – Advisory Footnote

- Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity and the installation must comply with all applicable electrical requirements in force at the time of installation.
- To futureproof the development, we would encourage the applicant to provide these in accordance with the current *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy (WYLES) Group

CSC1 Construction Site Working Times - Condition

No construction related noise shall be audible beyond the site boundary outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays.

Reason: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the NPPF and LP52 of the Local Plan

CSF1 Construction Sites working times – Footnote

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.