

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2025/92205 - Mars Care and Treats Petcare Europe Ltd, Oakwell Way, Birstall, Batley, WF17 9LU		
Erection of ammonia based refrigeration plant equipment		
Responding Date: 06 October 2025	Responding Officer: SR – AQ&CL MN - Noise	Responding Ref: WK202530174
<u>Comments</u> <u>Air Quality</u> In support of the application an Air Quality Assessment by Lucion, Ref: 121716, dated July 2025 has been submitted. The report considers the impact the proposed development will have on existing air quality, and how this will impact existing and future sensitive receptors during the construction and operational phases. It uses techniques detailed in national and local guidance, such as Local Air Quality Management Technical Guidance, the Institute of Air Quality Management (IAQM) Technical Guidance and The West Yorkshire Low Emission Strategy (WYLES) – Technical Planning Guidance. A description of the development is provided in section 1.2.2 <i>“comprises a series of new chillers and associated pump skids in plant enclosures along with liquid coolers mounted above. These will reject waste heat to atmosphere and maintain process cooling to the facility. The chillers will utilise ammonia within a closed loop system with no point source emissions under normal operating conditions.”</i> <u>Construction Phase</u> For the construction phase a qualitative assessment of fugitive dust emissions was undertaken in accordance with the Institute of Air Quality Management (IAQM) Guidance. This involved a risk assessment to identify all potential sources of dust during the construction phase. The report concludes that the residual impact of dust during the construction phase is considered to be not significant if all the mitigation methods listed within Section 6 are applied. <u>Operational Phase</u> An assessment was undertaken using the screening criteria contained within the IAQM guidance to determine the potential for trips generated by the development to affect local air quality. We are informed the plant is providing replacement refrigeration facilities to the existing manufacturing plant, no new parking is to be created. The report concludes the air quality impacts are considered not significant in accordance with the EPUK and IAQM guidance. We accept the report and make a recommendation in relation to dust mitigation. <u>Contaminated Land</u> The site of the development is on land identified as potentially contaminated due to the parent manufacturing site. According to the information supplied a concrete pad already exists onto		

which various items of refrigeration plant will be installed. Environmental Health do not comment on Geotechnical matters in relation to site. We have no comments to make and recommend a condition in relation to unexpected contamination.

Noise

A Noise Impact assessment has been submitted authored by cpwp dated June 2-25 Ref 250607. It states 3no. chillers and 2no. fluid coolers are to be located within a plant area to the east of the site at ground floor level replacing the existing systems which comprise of 15no. chillers distributed across the site. It identifies the nearest noise sensitive receptor as a residential dwelling to the rear of the Pheasant public house along Geldard Road, approximately 300 m south from the proposed plant location.

A BS4142 assessment has been conducted based upon on site noise monitoring and manufacturers data for the proposed plant and table 5.6 shows a low impact for both daytime and nighttime periods, even with a +5dB correction.

The submitted information is accepted. A compliance condition is recommended to ensure the installed plant does not exceed measured background levels.

Recommended Conditions

DUST1 Implement Dust Mitigation – Condition

Before any construction work commences, the mitigation measures to control fugitive dust emissions during the construction phase of the development shall be implemented in accordance with those detailed in section 6 of the Air Quality Assessment by Lucion, Ref: 121716, dated July 2025 and retained for the duration of the construction period.

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

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 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.

NC10 Noise from Fixed Plant & Equipment - Condition

The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

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.