

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

2025/93174 - Land Adjacent, 2, Hoyle Ing, Linthwaite, Huddersfield, HD7 5RX

Discharge of details reserved by conditions 7 (boundary treatment), 8 (footway), 10 (bat/bird roosting), 11 (Remediation Strategy), 14 (noise), 15 (CEMP) on previous permission 2022/94124 for erection of 2 dwellings (Use Class C3) and associated landscaping and car parking (within a Conservation Area)

Date Responded:
5th January 2026

Responding Officer:
Hannah Kent

Responding Ref:
WK/202537480

Thank you for consulting Environmental Health for this Discharge of Conditions application. My response relates to the conditions 11 (Remediation Strategy), 14 (noise), 15 (CEMP) on previous permission 2022/94124.

In summary:

1. The submitted Remedial Specification Report Ref: GRO-25333-6133 satisfies the requirements of condition 11 and therefore this condition can be discharged
2. The submitted Noise Impact Assessment Report Ref: 31295.NIA.01 is not satisfactory for the requirements of condition 14 and therefore this condition cannot be discharged.
3. The submitted Construction Environmental Management Plan, by Home Valley Brickworks satisfies the requirements of condition 15 and therefore this condition can be discharged.

Condition 11: 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.

Condition 14: Before construction work commences or completion of enabling works a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development including any commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The report shall:

- a) Determine the existing noise climate
- b) Predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time) and other habitable rooms of the development
- c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required). The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Condition 15: Prior to development commencing a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries.
- Dust arising from all construction related activities, which should include measures to monitor and record the emissions of dust during construction.
- Artificial lighting used in connection with all construction related activities and security of the construction site. A communications plan detailing the responsible person, their contact details and how this will be communicated to local residents and the Local Authority must be included. The agreed plan shall be adhered to throughout the construction of the development.

The applicant has submitted the following documents for the discharge of the above conditions:

- Remedial Specification Report Ref: GRO-25333-6133, dated 10th October 2025
- Noise Impact Assessment Report Ref: 31295.NIA.01, dated 11th November 2025
- Construction Environmental Management Plan, by Home Valley Brickworks, dated 12th August 2025

Condition 11: Remediation Strategy

I have reviewed the submitted Remedial Specification Report Ref: GRO-25333-6133 which summarises the information gained and presented in the previously submitted reports:

- i. Phase 1 Geo-Environmental Investigation produced by IGE Consulting referenced 3836-01A dated March 2023.
- ii. Phase 2 Geo-Environmental Investigation produced by IGE Consulting referenced 3836-02 dated August 2023.
- iii. Piling Risk Assessment produced by IGE Consulting referenced 3836-03 dated November 2023

The preliminary conceptual site model identified:

- Made Ground anticipated beneath the site and deep Made Ground may be present in areas of the site associated with the former reservoir and quarry/tip if extended onto site. Sources of contamination include reservoir, brick works, adjacent dye works and tanks. There is also potential for hydrocarbon contamination to be present due to the sites use as a car park. Anecdotal evidence has indicated a possible tank was recorded in the north, identifying a moderate to high risk impacting human health.
- The risk to the Secondary A Bedrock Aquifer is considered to be moderate due to the possible infilled reservoir and refused tip if encroaching site, however groundwater is anticipated at greater than 20m begl therefore the likelihood of migration is low. The risk to the River Colne is low given the distance to site allowing for attenuation of any possible contaminants, identifying a low to moderate risk to controlled waters.
- Deep Made Ground is anticipated to be present on site due to the proximity to the former quarry/refuse tip and recorded historic reservoir on site which has been backfilled, identifying a high risk of ground gas.

The ground investigation confirmed significant contamination, and a revised pollutant linkage assessment is provided confirming:

- Deep Made Ground recorded and elevated levels of arsenic, lead, cadmium, PAHs and heavy range aromatic compounds were recorded in the Made Ground. Proposed development comprises soft landscaping and remedial measures required.
- Laboratory testing show none of the hydrocarbons are within the volatile range. All PIDs were below 1ppm.
- Ground Gas assessment places site in CS2 and gas protective measures are required. No radon precautions are required.
- No mobile contamination has been identified on site.
- Only perched groundwater identified in the Made Ground and groundwater anticipated to be at significant depth. A Made Ground or natural clay layer is present beneath the impacted material onsite. The sources in the surrounding area including nearby refuse tip and likely to be more harmful to the aquifer than the former reservoir or possible tank onsite. Steel piles required to create seal. Remediation in the form of removal and validation of contaminated material to be undertaken during works.
- Gross contamination not present and significant distance to surface water features is enough to allow considerable attenuation.

Section 4 of the submitted report outlines the proposed remediation as follows:

During the works phase:

- Vegetation clearance
- Break out of all hard-surfacing and processing
- Removal of contaminated soils and groundwater near DS01 in the northwest of site
- Appropriate materials management of soils
- Offsite disposal of unsuitable or excess material
- Placement of piling mat
- Watching brief for unidentified contamination
- Undertake all of the above in a safe manner with respect to party walls and surrounding properties
- Excavations for foundations
- Excavations for service runs and drainage
- Installation of correct level potable water supply pipe
- Placement of clean cover system in areas of gardens and soft landscaping
- Installation of ground gas protection measures

Section 5 presents the remediation implementation process detailed in 12 work activities. This includes a more detailed validation process for work activity 8, detailing testing, validation sampling, and soil reuse. Work activity 11 details the installation of the cover system and activity 12 provides more detailed information for providing the ground gas protection measures.

Sections 6 and 7 cover the verification & reporting requirements and the materials management chain of custody requirements.

Section 8 details responsibilities, contingencies and planning for unexpected contamination on site.

The submitted Remedial Specification Report Ref: GRO-25333-6133 satisfies the requirements of condition 11 and therefore this condition can be discharged.

Condition 14: Noise Impact Assessment

The applicant has submitted a Noise Impact Assessment Report Ref: 31295.NIA.01 for the discharge of the aforementioned condition.

The report establishes that the site is bounded by Hoyle Ing to the north, residential houses to the east and south, and industrial buildings to the west. The background noise climate was generally dominated by tree rustle and distant road traffic noise and that the industrial units to the west operate during normal daytime working hours only.

An attended noise survey was undertaken for 3 hours on Monday 27th October between 12:00 - 15:00, and between 23:00 – 02:00 27/28th October 2025.

“Noise from the nearby industrial uses (use of power tools) was only just audible above the existing noise climate and was not considered to be intrusive/distinct by the surveyor. Measurements were undertaken both with and without the contribution from the nearby industrial units”.

The environmental noise survey results were summarised in section 3, but no raw noise data was supplied. The noise levels presented only show a 5 minute “representative” measurement that cannot be verified without the detailed raw noise data which should be provided.

Table 3.1 presents a summary of the measured noise levels:

Time Period		L _{Aeq,5min} (dB)	L _{A90,5min} (dB)	L _{Afmax,5min} (dB)
Daytime	12:47:40	47	61	44
	12:53:10	49	69	44
	13:44:04	49	60	44
	13:58:12	50	59	45
	Representative Total	49	69	44
Night-time	23:15:04	44	58	34
	00:11:33	43	60	35
	00:48:24	40	50	34
	01:31:54	39	58	36
	Representative Total	42	60	34

Table 3.1 Site average noise levels for daytime and night time

The background noise level, the L_{A90} is significantly higher than the L_{AFmax} and L_{Aeq} noise levels which it cannot be and is therefore incorrect. Table 3.2 is similarly confusing, in that the BS4142 noise levels show that levels are higher in the absence of the operational equipment.

Description		Measured Noise Level (dB, LAeq,T)
Industrial sources ON	Noise measurement with industrial sources (power tools) operating, only just audible above background noise climate. BS 4142:2014 Ambient Sound Level	44
Industrial sources OFF	Noise measurement with industrial sources off/inaudible. BS 4142:2014 Residual Sound Level	48
Specific Sound Level	Derived contribution from industrial noise sources only. BS 4142:2014 Specific Sound Level	46

Table 3.2 Attended noise measurements

The above noise levels need clarification, along with the provision of the raw noise data.

Section 5 of the report presents the building façade details in terms of non-glazed and glazed minimum sound reduction spectral values, however, without further clarity regarding the baseline noise measurements, the report cannot be accepted.

The submitted Noise Impact Assessment Report Ref: 31295.NIA.01 is not satisfactory for the requirements of condition 14 and therefore this condition cannot be discharged.

Condition 15: Construction Environmental Management Plan (CEMP)

The applicant has submitted a Construction Environmental Management Plan, by Home Valley Brickworks that presents the measures that will be taken to control the potential environmental impacts during construction. Section 2 describes the site and the hours the site will be operational. Section 3 provides the layout of the site, and section 4 presents the environmental control measures that are to be adopted on site. Section 5 describes community liaison; section 6 presents the emergency procedures on site and section details the monitoring and procedures for reviewing the procedures on site should this be necessary.

The submitted Construction Environmental Management Plan, by Home Valley Brickworks satisfies the requirements of condition 15 and therefore this condition can be discharged.