

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2026/90387 Upper Mills, Canal Side, Slaithwaite, HD7 5HA		
Temporary permission for 5 year period for use of land for leisure and recreation purposes; siting of associated transient structures; erection of means of enclosure; surfacing and associated works		
Responding Date: 24 th June 2026	Responding Officer: SR	Responding Ref: WK202616704
<u>Comments</u> Environmental Health have reviewed the application and make the following comments and recommendations. The application is for a five year temporary use of brownfield land adjacent to the canalised for recreational use. This involves the erection of freestanding structures to house an office and sauna with additional changing areas and cold plunge facilities. The Application form confirms mains water and mains foul sewage will be provided to the site, opening times are to be 9am to 8:30pm daily. Nearest sensitive residential receptors are some 40m away across the canal and an access road. <u>Noise</u> Given the size and nature of the temporary development and the distance to the nearest residential receptors we recommend a condition for the submission and agreement of a noise management plan for the premises. This would need to control customer noise from the site to ensure residential amenity is not impacted and procedures are in place to ensure the site is closed at the specified times. <u>Noise Informative</u> We recommend a condition is applied to secure the hours of use within the application to ensure any potential noise and disturbance from site is limited to the times proposed. <u>Contaminated Land</u> The site of the proposed development is on land identified as potentially contaminated due to its historic use as a woollen mill. We are informed that the buildings to be placed on site are free standing and thus groundworks will be limited. We recommend a condition in relation to unexpected contamination. <u>Recommended Conditions</u> NC12 Noise Management Plan – Condition Before the premise is brought into use, a noise management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail the control measures that will be taken to ensure that excessive noise does not arise from the guests' use of the property and the actions that will be taken if guests at the property fail to observe the required control measures. The approved noise management plan shall be implemented before use commences and retained thereafter. 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.

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 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 2021. 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.

SC1 Smoke Control- Footnote

It appears from the submitted plans that the proposal includes wood fired stoves. Therefore, the appliance must comply with the Clean Air Act 2021. To ensure compliance with the necessary legislation, the applicant should seek advice from Environmental Health, email pollution@kirklees.gov.uk

