

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2026/90653 - Land at junction of, Peel Street, Cook Lane, Centre Street, Heckmondwike, WF16 9JD
Erection of commercial unit with associated car parking and service yard
Date Responded:
Wednesday, 10 June 2026
Responding Officer:
HK
Responding Ref:
WK/202616953

Thank you for consulting Environmental Health on the above application.

The submitted design and access statement confirms that:

- The proposal seeks to provide small-scale, flexible employment floorspace within the urban area to support local economic activity.
- The surrounding area is characterised by a mix of commercial, service and light industrial uses.
- The unit is designed to provide flexible commercial floorspace suitable for small businesses, offices or service-based uses.

COMMENTS

NOISE

The site neighbours' residential dwellings, and therefore a proposed commercial use has the potential to impact noise sensitive premises through the operation of the site. Controls to limit the business hours and any noise emanating from the site will limit the potential loss of amenity to neighbouring residential neighbours.

CONTAMINATED LAND

The applicant has submitted a Phase 1: Desk Top Study & Coal Mining Risk Assessment Report. The report confirms the following:

- Made ground is anticipated onsite in relation to the previous onsite developments.
- The site is not recorded within a defined 'Development High Risk Area' or an area of 'Past or Probable Shallow Workings'.
- A Coal Mining Risk Assessment Report, Ref: 51003559023001 records workings beneath the site with the shallowest worked seam being the Black Bed coal seam recorded c.167m bgl with an extraction thickness of c.0.69m and last mined in 1908.
- There is a risk from shallow coal mining activities, and it is felt that intrusive investigation works are required in relation to potential shallow workings beneath the site.
- The site is recorded to lie within an intermediate probability radon area, with 1-5% of homes estimated to be at or above the action level, and basic radon protective measures are required for the site.
- A review of the information relating to landfill and waste suggests the site is at risk from potential hazardous ground gas production / migration.

The report recommends that a programme of Phase 2: Ground Investigation (intrusive investigation) works are completed for this site to provide an assessment of the geo-environmental characteristics of the site.

LIGHTING

Artificial lighting increases local lighting levels and has the potential to impacting biodiversity and the amenity of nearby residential receptors. Any external lighting should be properly designed and installed to avoid any adverse impacts on residential neighbours from obtrusive or spillover light, or glare.

AIR QUALITY / NET ZERO

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. The submitted Design and Access Statement confirms that EVCPs will be provided, and a condition requiring charging points would ensure their provision.

RECOMMENDATIONS

Environmental Health have no objections to the proposed development, subject to the following:

NC10 Noise from Fixed Plant & Equipment - Condition

The combined noise from any vehicle movements, work activity, fixed mechanical services and external plant and equipment from the proposed development 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.

HUC3 Hours of Use Combined Open for Customers, Deliveries and Dispatches – Condition

The use hereby permitted shall not be open to customers outside the hours of:
08:00 to 18:00 Monday to Saturday, and
10:00 to 16:00 Sunday and Bank Holidays

and there shall be no deliveries to, or dispatches from the premises outside these hours. No deliveries shall take place on Sundays or Bank Holidays.

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.

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

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 190 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 190 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 190 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.

- Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be 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 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.

EVC1 Electric Vehicle Charging Points – Condition

Before the development is brought into use, a scheme outlining the specific facilities for charging electric vehicles and other ultra-low emission vehicles at the premises must be submitted to and approved in writing by the Local Planning Authority. This scheme must meet the minimum requirements in the current West Yorkshire Low Emission Strategy (WYLES) document. The approved facilities for charging electric vehicles must be installed before occupation and retained for use thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

EVF1 Electric Vehicle Charging Points – Footnote

- 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.

LC4 Artificial Lighting Not Permitted - Condition

This permission does not authorise the installation or use of any external artificial lighting.

Reason: For the avoidance of doubt as to what is being permitted and to safeguard the amenities of the occupiers of nearby properties in accordance with Policy LP52 of the Kirklees Local Plan and Chapters 2 and 15 of the NPPF.