

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2026/90804 Barncliffe Mills, Near Bank, Shelley, Huddersfield, HD8 8LU
Outline application for residential development with all matters reserved except access
Responding Date:
5th May 2026

Responding Officer:
SR&HK

Responding Ref:
WK202611828

Comments

Environmental health have been consulted on the outline application which appears to concern the development of 5 plots for residential development. We have reviewed documents within the remit of Environmental Health and make the following comments and recommendations.

Noise

The site just off a roadside position (behind a car park), serving Barncliffe Mills Business Park, a commercial and industrial site. The site will be impacted by road traffic noise, noise from the car park and any commercial and industrial noise (including any fixed plant) associated with Barncliffe Mills Business Park.

The applicant has submitted a Noise Impact Assessment, Ref: NIA-12093-25-12383-v1, dated 12th September 2025, prepared by Environmental Noise Solutions (ENS) in support of the application.

"The objectives this report are to:

Determine external noise levels at the site

Assess the potential impact of the external noise climate on the proposed residential development with reference to relevant guidelines

Provide recommendations for a scheme of sound attenuation works, as necessary, to protect future occupants of the proposed residential development from a loss of amenity due to noise".

The assessment includes an environmental noise survey was carried out during the daytime on Wednesday 21st May and the night-time (early morning) of Thursday 22nd May 2025. "A single monitoring position (MP1) was adopted at a position representative of the nearest façade to Brook House Lane and the car park. Measurements were undertaken in free field conditions at 4 metres above ground level".

The measured noise levels are presented in Table 3.1 for the daytime $L_{Aeq, 16hr}$ and nighttime $L_{Aeq, 8hr}$ as well as presenting the nighttime L_{AFmax} .

Table 3.1: Summary of Noise Measurement Data

Position	Date	Time	$L_{Aeq,T}$ (dB)	$L_{A90,T}$ (dB)	$L_{A10,T}$ (dB)	L_{AFMax} (dB)	Comment
MP1	20/05/25	1326–1400	48	44	52	-	Vehicles along Brook House Lane dominant with intermittent low level vehicle noise from Barncliffe Mills Business Park car park, bird song
		1400–1500	49	42	54	-	
		1500–1600	50	42	56	-	
		1600–1700	51	42	56	-	
	20-21/05/2025	0453–0700	47	40	54	63	
	21/05/2025	0959–1214	51	43	56	-	

The noise survey has only captured a relatively short period of mid-week noise levels at the site. Noise levels may vary during the week with Barncliffe Mills Business Park having a variety of businesses operating from the site. An extended period of noise monitoring would have given greater confidence that noise levels at the site are stable. However, based on the proximity of the site to Brook House Lane and the Business Park, noise levels appear representative for the location. During noise monitoring, the site engineer observed that:

"Noise levels at the site were primarily controlled by vehicles along Brook House Lane and occasional low-level sporadic vehicle movements within the Barncliffe Mills Business Park car park. No other significant noise sources noted".

A BS8233:2014 assessment of the site was undertaken using Building Research Establishment (BRE) building envelope insulation calculation spreadsheet to confirm that internal noise levels would be acceptable with standard double-glazed window units. Daytime ambient noise levels are predicted to be ≤ 52 dB LAeq (0700-2300), which would satisfy the upper guideline noise level for external amenity areas, and the report concludes that *"external amenity areas throughout the site are considered suitable for use without specific mitigation"*.

BS8233 discusses external amenity space in section 7.7.3.2. stating that:

"For traditional external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB LAeq,T , with an upper guideline value of 55 dB LAeq,T which would be acceptable in noisier environments... development should be designed to achieve the lowest practicable levels in these external amenity spaces".

The use of a close-boarded fence would reduce external noise levels in amenity space, such as gardens and patios to a more satisfactory level, bearing in mind the development borders a busy car park serving Barncliffe Mills Business Park.

Contaminated Land

In support of the application a Factual Report by RGS, ref: C1893/21/E/2914, dated July 2021 has been submitted. This is a geotechnical report which is not within the remit of Environmental Health. We have noticed that the photographs included within the report demonstrate that made ground (infilling), appears to have occurred at site. Our mapping indicates the site is situated on the area once incorporating Barncliffe Mill. Whilst we do not object to the application we recommend conditions.

Construction Noise

The proposed development has some nearby sensitive residential receptors that could be impacted by construction noise. We therefore recommend a condition.

Recommended Conditions

BC1 Acoustic Barrier - Condition

Before the development is brought into use, details of an acoustic barrier shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- A plan showing the location of the barrier
- The minimum height of the barrier relative to the adjacent ground level
- The construction specification of the barrier including the barrier support structure, the

barrier material, the minimum barrier thickness, the minimum density of the barrier material and the details where the barrier meets the ground.

The use hereby approved shall not commence until the construction of the acoustic barrier has been completed and the barrier shall be retained thereafter.

Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises 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.

NF4 Competent Person - Footnote

All Noise Assessments should be carried out by a competent person. The applicant may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members.

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 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.

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.