

<b>Consultation Response from: KC Environmental Health (Pollution &amp; Noise Control)</b>		
<b>2026/91459 Jack's Barn, 22, Stringer House Lane, Emley Moor, Huddersfield, HD8 9SU</b>		
<b>Erection of detached building to create dwelling forming annex accommodation associated with Jack's Barn, 22, Stringer House Lane, Emley Moor, Huddersfield, HD8 9SU with garage and decking</b>		
<b>Date Responded:</b> <b>03/07/2025</b>	<b>Responding Officer:</b> <b>CH</b>	<b>Responding Ref:</b> <b>WK/202619248</b>
<p>We have reviewed the application and supporting information and make the following comments and recommendations. Please note that these comments are based on the information available to us at the time of writing but may be subject to change for any future planning application.</p> <p><b>Foul Drainage</b></p> <p>The development proposes to dispose of foul sewage via a septic tank and includes proposals to connect to the existing drainage system. However, the information submitted is insufficient. Our records show that a mains sewer is approximately 25 m from the site, we would expect connection to the main sewer to be considered as first option.</p> <p>It is unclear whether the septic tank is existing or proposed, and no details have been provided regarding its location, capacity, or the extent of its use (i.e. whether it is intended to serve only the annex or additional development). In addition, no detailed information has been submitted in respect of the existing drainage system or the proposed foul water drainage arrangements</p> <p>Prior to determination, the applicant should submit details demonstrating that a satisfactory foul drainage system will be provided, including whether the septic tank is existing or proposed, its location, capacity, the population it will serve, and details of the existing and proposed drainage arrangements, to demonstrate that a satisfactory and compliant system can be provided.</p> <p><b>Contaminated Land</b></p> <p>The Coal Authority has reviewed the proposal and confirm that the application site falls within the defined Development High Risk Area. Therefore, within the application site and surrounding area there are coal mining features and hazards, which need to be considered in relation to the determination of this planning application.</p> <p>The application is supported by a Coal Mining Risk Assessment prepared by Rogers Geotechnical Services Limited, dated 19th May 2016. The report has been informed by an appropriate range of sources and information. Having reviewed the available coal mining and geological information, the Coal Mining Risk Assessment confirms the likelihood of workings underlying the site at shallow depth and makes recommendations that intrusive site investigation works must be undertaken.</p> <p>The Coal Authority has reviewed the submitted information, and it concurs with the recommendations of the Coal Mining Risk Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, to ensure the safety and stability of the proposed</p>		

development. To ensure no risk to human health, we recommend full contaminated land conditions.

### **Loss of amenity caused by the construction of the development**

We have considered the potential impacts on amenity of any construction activities that will be necessary for the development.

There is a potential for loss of amenity to the occupiers of nearby properties from noise and vibration from the construction phase of the development. It is therefore likely that we would recommend a condition restricting the times when noisy construction activities (including deliveries) will be permitted to 07.30 to 18.30 hours Mondays to Fridays, 08.00 to 13.00 hours, Saturdays and with no noisy activities on Sundays or Public Holidays.

### **Electric Vehicle Charging Points (EVCPs)**

We have considered whether the installation of electric vehicle charging points will be required at the development.

In the absence of satisfactory proposals for EVCPs being submitted with an application we will recommend a condition requiring this information to be provided and approved before electrical works at the development commence.

### **Recommendations**

#### **Adequate Provision for Foul Drainage – Before determining the application.**

We require information in relation to foul drainage for this development. Whilst the application indicates that foul sewage would be disposed of via a septic tank and that a connection to an existing drainage system is proposed, no supporting details have been provided. In particular, the application fails to clarify whether the septic tank is existing or proposed, and no information has been submitted in respect of the existing drainage system or any connection to it.

Prior to determination, the applicant must submit full details of the foul water drainage arrangements. This shall include confirmation of whether a mains sewer connection is available and feasible, or if a non-mains solution is to be used, details of the septic tank including its location (supported by a plan), design, capacity, and the population it will serve. The applicant must also provide details of the existing drainage system, how the proposed development will connect to it, and the method of discharge. This information is required to ensure that an appropriate and compliant system can be achieved and to prevent potential pollution of the environment, in accordance with Policies LP34 and LP52 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework

#### **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 190 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**

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. 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

**EVF1 Electric Vehicle Charging Points – Advisory Footnote**

- Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information in relation to Approved Document S.
- 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.
- To futureproof the development, we would encourage the applicant to provide these in accordance with the current *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy (WYLES) Group

**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.