

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2026/91627 Erection of 22 dwellings (Use Class C3) associated development including access, landscaping, ancillary infrastructure, and parking.		
Land at, Dunford Road, Hade Edge, Holmfirth, HD9 2RT		
Date Responded: 13/07/2026	Responding Officer: KB	Responding Ref: WK/202620776
Odours & Noise – Prior to Determination The proposed residential development site is immediately adjacent to an existing poultry rearing farm with 4 large poultry sheds. It is inevitable that there will be some odour produced by this activity and which is likely to have a significant adverse impact on the future occupiers of the proposed residential properties, in particular those closest to the eastern boundary of the site. There is also likely to be some noise associated with the poultry rearing and possibly occasional flies. The applicant has not provided any evidence to suggest that the proximity of the poultry rearing establishment would not present any problems. Prior to determination, we would expect an Odour Impact Assessment and Noise Assessment to assess the potential effects of the adjacent activities to the proposed development. Contaminated Land Several documents have been received to support this application and will be reviewed separately. • Phase 1 Geoenvironmental Risk Assessment and Phase 2 Ground Investigation. Land to rear of 365 Dunford Road, Hade Edge, Holmfirth. Report Number 4431. January 2025. • A letter dated 18th February 2025 from MDJA. 365 Dunford Road, Hade Edge - Ground Gas Risk Assessment Report No. 4431. The reports include some geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspect of the reports. We have read and reviewed the reports and make the following observations. Phase 1 Geoenvironmental Risk Assessment and Phase 2 Ground Investigation. Land to rear of 365 Dunford Road, Hade Edge, Holmfirth. Report Number 4431. January 2025. The site has historically been agricultural land with no evidence of previous industrial use. There is a number of farm building present in the south west of the site. There are a number of former quarries in the area with the nearest being 100m west with some infilling taking place and two small ‘refuse tips’ being identified on historical mapping. The site investigation confirmed that it is underlain by sandstone bedrock. The majority of the site was found to comprise 150mm and 400mm of uncontaminated topsoil over weathered sandstone; however, areas of Made Ground were identified around the existing farm		

buildings and in parts of the western side of the site. These areas contained materials such as ash, concrete, plastics and fragments of asbestos cement sheeting, with chrysotile asbestos confirmed in one trial pit and elevated lead concentrations identified in another location.

Despite these localised issues, the overall contamination risk was assessed as low, provided that Made Ground in affected areas is either removed or appropriately capped during development.

Initial ground gas monitoring detected no significant methane or carbon dioxide concentrations and suggested that the site was classified as Characteristic Situation 1 (CS1), representing a very low ground gas risk.

The report recommends reusing topsoil from uncontaminated areas of the site, while material from areas containing Made Ground should be treated separately and, where necessary, removed from site.

Overall, the site is considered suitable for residential development subject to normal construction controls, asbestos management in the identified affected area and materials management.

A letter dated 18th February 2025 from MDJA. 365 Dunford Road, Hade Edge - Ground Gas Risk Assessment Report No. 4431.

The letter summarises the completed ground gas assessment and concludes that the site presents a very low gas risk. Six rounds of gas monitoring were completed with no measurable gas flow and only low concentrations of carbon dioxide. The site is classified as Characteristic Situation 1 (CS1) under current guidance and confirms that additional gas protection measures are not required.

Comments

The report and subsequent letter provide a comprehensive assessment of the environmental risks associated with the development of the site. Consideration has been made to the conceptual site model and risk assessment. There is discussion about the potential use of site-won materials and the removal/encapsulation of areas of contaminated made ground. Gas monitoring has been completed and we agree with the classification of the site as CS1.

We would expect a Remediation Strategy with details of how materials will be managed on the site to be submitted to the Local Authority with associated conditions being applied to any permission.

Electric Vehicle Charging Points (EVCPs)

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. An advisory relating to charging points is therefore necessary.

Construction Environmental Management Plan (CEMP)

A condition is recommended for the submission of a CEMP in order to protect the amenity of neighbouring properties during the construction phase.

RECOMMENDATION BEFORE DETERMINATION**Odours Impact Assessment Report Required Before Determining the Application**

Before determining the application, an Odour Impact Assessment Report shall be submitted in writing to the Local Planning Authority. The report shall:

- detail all the potential sources of odour in the vicinity of the application premises
- determine the potential of adverse impact on the proposed development from these potential sources of odour
- detail the necessary odour mitigation measures that are required to ensure the future occupiers of the development are not adversely affected by sources of odour in the vicinity

If odour levels predicted in the report are unacceptable, it may be necessary to refuse the application. Otherwise, it may be necessary to specify mitigation measures as conditions of consent.

Reason: We require this information to ensure that the impact of odour does not give rise to loss of amenity and 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.

Noise Assessment Report Required Before Determining the Application

Before the application can be determined, details of an assessment of all significant noise sources likely to affect the proposed development including the adjacent farming activity by a suitably competent person (see footnote) must be submitted in writing to the Local Planning Authority. The report shall:

- a. Determine the existing noise climate
- b. Predict the noise climate in the 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. If the noise attenuation measures include windows being kept closed, then details of alternative ventilation over background ventilation will be required.

If levels predicted in the report are unacceptable, it may be necessary to refuse the application. Otherwise, it may be necessary to specify attenuation measures as conditions of consent.

Reason: We require this information to ensure that the proposed use(s) does not give rise to the loss of amenity to future occupiers, by reason of noise or disturbance and 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.

RECOMMENDATIONS

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

CEMPC Construction Environmental Management Plan - Condition

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 residents and the Local Authority must be included.

The agreed plan shall be adhered to throughout the construction of the development.

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.

CEMPF Construction Environmental Management Plan - Footnote

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.

For further information regarding dust control, guidance can be found in the Institute of Air Quality Management (IAQM) document "*Guidance on the assessment of dust from demolition and construction*" Version 2.2 2024.

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.