Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2026/91838 101 Newsome Mills, Hart Street, Newsome, Huddersfield, HD4 6LS		
Redevelopment, consisting of the alteration, extension, and part demolition of Grade II listed Newsome Mills complex to provide 44 apartments and erection of 24 dwellings, with associated works (Listed Building)		
Date Responded: 05/11/2026	**Responding Officer: CH/MN/KB**	**Responding Ref: WK/202632162**

Noise

A Noise Impact Assessment by ENS Ltd (13th February 2026, NIA-12437-26-12799-v1 Newsome Mill) has been received in support of the application. We have read the report provided.

The applicant has submitted a Noise Impact Assessment prepared by Environmental Noise Solutions Ltd, dated 13 February 2026, Ref NIA-12437-26-12799-v2, in support of the proposed residential development at Newsome Mills. A noise survey was undertaken in January 2023 at four monitoring locations, as shown in Appendix 2, with results summarised in Table 3.1. Road traffic on Ruth Street was identified as the dominant noise source.

The assessment considers internal and external noise levels against BS 8233. External noise levels are reported to be within the upper guideline of 55 dB LAeq,16hr, with screening from buildings and fences expected to reduce rear garden levels to ≤50 dB LAeq,16hr, requiring no specific mitigation. For internal amenity, enhanced acoustic glazing and mechanical ventilation are recommended for bedrooms fronting Ruth Street, with standard double glazing and acoustic trickle vents proposed elsewhere. Table 4.1 indicates that the proposed measures would achieve the recommended internal noise criteria.

We have read the report provided, and do not accept assessment undertaken. The noise survey was undertaken over relatively short periods, with daytime monitoring restricted to the afternoon and night-time monitoring between approximately 04:00 and 07:00. Also, the background noise may have changed given the age of the report. It is therefore unclear whether the mitigation is necessary and/or adequate for the development. As there is a busy road and nearby commercial properties, and the proposals are to introduce noise sensitive receptors, we recommend a condition to secure a new noise assessment for the development.

The noise assessment must determine the existing noise climate, predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time) and other habitable rooms of the development and detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

Air Quality

An Air Quality Screening Assessment by SRL Technical Services Limited (ref: 81315-SRL-RP-YQ-01-S2-P4) (dated: 13th February 2026) has been submitted in support of the application. The report details the impact that the development will have on existing air quality, due to changes in traffic flows and how this will impact existing sensitive receptors during the construction and operational phases. It uses techniques detailed in national and local guidance, such as Local Air Quality Management Technical Guidance (LAQM. TG22) and the Institute of Air Quality Management (IAQM) Technical Guidance.

Baseline air quality

The report identifies AQMA 9 as the nearest Air Quality Management Area (AQMA) to the proposed development, located approximately 1.9 km from the site boundary, and identifies road traffic emissions as the likely principal source of air pollution. Table 2 presents Defra background concentrations for NO_2, PM_{10} and $PM_{2.5}$ for the site for 2024 and the proposed opening year (2028), all of which are below the relevant air quality objectives (AQOs). However, Table 2 appears to contain an error, as the same grid coordinates are presented twice with different pollutant concentrations. Although the concentrations presented are below the relevant AQOs, it is unclear whether one of these entries relates to a different grid square. This should be clarified.

The report also considers local monitoring undertaken within the Kirklees Council area and presents 2024 results for the three nearest non-automatic monitoring locations. However, these appear to have been obtained from an older Annual Status Report, as they do not reflect the expansion of the Council's diffusion tube monitoring network in 2024. Additionally, the report does not identify or reference the Kirklees Annual Status Report from which the monitoring data have been obtained.

The information relating to automatic monitoring in Sections 3.6 and 3.7 is also incorrect. Kirklees Council operates one automatic monitoring station, Dewsbury Ashworth Grange, which monitors NO_2, PM_{10} and $PM_{2.5}$ and forms part of the AURN. Section 3.6 incorrectly states that Kirklees Council does not undertake automatic monitoring of PM_{10}, while Section 3.7 incorrectly identifies two automatic monitoring stations within the district.

Notwithstanding the above, we agree that the Dewsbury Ashworth Grange monitoring location is not particularly representative of conditions at the proposed development site. The use of Defra background concentrations is therefore considered acceptable, subject to clarification of the apparent error in Table 2 and update of section 3.6 and 3.7.

Construction Phase

For the construction phase, a qualitative assessment of fugitive dust emissions was undertaken in accordance with the Institute of Air Quality Management (IAQM) Guidance on the Assessment of Dust from Demolition and Construction. A dust risk assessment was undertaken to identify potential sources of dust, determine the dust emission magnitude associated with demolition, earthworks, construction and trackout activities, and assess the sensitivity of surrounding receptors.

The assessment states that, as the site is small, trackout effects need only be considered along the first 50 m of public highway from the site exit. This does not accord with the IAQM guidance, which identifies receptors within 50 m of roads used by construction traffic, for a distance of up to 250 m from the site entrance. The trackout assessment should therefore be reviewed accordingly. In addition, the assessment does not appear to have considered the residential development off Hart Street, which has since been completed and occupied. The potential impacts on these receptors should also be assessed.

The findings presented in Table 6 identify the highest dust impact risk as medium, associated with dust soiling from earthworks, construction and trackout. Human health impacts are

identified as either negligible or low risk. Appropriate mitigation measures are subsequently identified in Tables 7 to 11 of the report.

However, Sections 7.2 and 7.4 identify the development as being high risk for dust soiling and state that the overall dust risk is high. This does not correspond with the findings presented in Table 6, which identifies the highest risk as medium. The conclusions should therefore be reviewed to ensure they are consistent with the findings of the dust risk assessment.

Operational Phase

The report states that Civic, the transport engineers for the development, predict that the development will generate 167 Annual Average Daily Traffic (AADT) movements. This is below the IAQM/EPUK screening threshold of 500 AADT movements for light-duty vehicles cited within the report and, therefore, a detailed assessment of operational traffic emissions has been screened out. This approach is accepted

The screening assessment considers 2024 monitoring data provided by Kirklees Council alongside Defra background pollutant concentrations to assess existing and future air quality conditions at the site. Defra background concentrations of nitrogen dioxide (NO_2), particulate matter (PM_{10}) and fine particulate matter ($PM_{2.5}$) were considered for a 2024 base year and a 2028 completion year.

The report concludes that concentrations of NO_2, PM_{10} and $PM_{2.5}$ at the site are likely to remain below the relevant national air quality objectives and that future occupants would therefore be exposed to acceptable levels of air quality.

Section 6.2 of the report identifies a number of good practice measures to minimise the development's impact on local air quality, including the provision of electric vehicle charging infrastructure, measures to encourage sustainable travel and controls on emissions from combustion plant. The implementation of these measures, where applicable to the development, is supported.

Comment

In principle, we agree with the overall approach and methodology of the Air Quality Screening Assessment. However, a number of inaccuracies and inconsistencies have been identified within the report, including:

- An apparent error within Table 2 relating to the presentation of Defra background concentration data;
- Inaccuracies regarding Kirklees Council's air quality monitoring network and monitoring arrangements;
- A trackout assessment methodology that does not appear to accord with the current IAQM guidance; and
- Inconsistencies between the findings of the dust risk assessment and the conclusions presented within Sections 7.2 and 7.4.

Whilst these matters are unlikely to materially alter the overall conclusions of the assessment, the report should be reviewed and amended to ensure that it accurately reflects the available monitoring data and current guidance.

As submitted, the Air Quality Screening Assessment is not considered acceptable. A revised assessment should therefore be submitted addressing the issues identified above.

Contaminated Land
We have considered whether the development site is on or near land that may be affected by contamination arising from historical land uses and the risks that this may present to the proposed development. We have also considered the scale and nature of the proposed development in relation to these risks. The application site is situated on potentially contaminated land (Ref. 45/15) due to its former use as a woollen mill.

The site has an extensive planning history, and contaminated land information has been reviewed by Environmental Health as part of previous planning applications. This review has been undertaken considering the submitted information as a complete package and assessing its suitability against current contaminated land risk management principles and best practice guidance.

We acknowledge receipt of the following reports:

- Haigh Huddleston & Associates. Geo-Environmental Ground Investigation Report on Proposed Development at Newsome Mills, Ruth Street, Huddersfield. (August 2020). Ref. E19/7413/R001.
- Delta-Simons. Site Investigation Report, Newsome Mills, Huddersfield. (December 2021). Ref: 21-1514.01.

It should be noted that the principal site investigation reports that have been submitted were prepared in 2020 and 2021 respectively and are now several years old. Consideration has therefore been given to whether the information remains relevant and sufficiently robust support the current planning application.

The reports include geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the reports. We have now reviewed the submitted reports and supporting information, and our comments are set out below.

Haigh Huddleston & Associates. Geo-Environmental Ground Investigation Report on Proposed Development at Newsome Mills, Ruth Street, Huddersfield. (August 2020). Ref. E19/7413/R001.
The submitted report has been prepared to support the proposed residential redevelopment of the former Newsome Mills site and comprised a desk study, preliminary risk assessment and Conceptual Site Model (CSM), intrusive ground investigation, contamination assessment and preliminary ground gas assessment.
The site was identified as a former woollen mill operating from at least 1854 until demolition commenced around 2010. The surrounding area is predominantly residential, with historic mill ponds located approximately 50m south-east of the site. The preliminary CSM identified potential contamination associated with historic industrial activities, demolition materials and possible mine gas migration from historic coal mining workings. Potential receptors included construction workers, future residents, controlled waters and buildings.

The intrusive investigation comprised ten trial pits, eight window samples and five rotary boreholes, together with installation of gas monitoring locations. Ground conditions generally comprised Made Ground overlying clay, sandstone and weathered mudstone bedrock. Made Ground was encountered across the site and was locally up to 4.5m thick, particularly in the western part of the site where it was considered likely to represent infilled basements associated with the former mill building. The Made Ground contained demolition materials including brick, concrete, ash, glass, timber and sandstone cobbles and boulders. No evidence of shallow coal workings was encountered within boreholes advanced to 30m depth.

Groundwater was encountered in several exploratory locations, generally between approximately 1.0m and 3.1m below ground level (bgl). Ground gas monitoring undertaken between March and July 2020 recorded a maximum methane concentration of 0.6% and a maximum carbon dioxide concentration of 9.3%. No positive gas flow rates were recorded. However based upon the available monitoring data, the site was classified as Amber 1 under the NHBC traffic light system and Characteristic Situation 2 (CS2) in accordance with BS8485:2015, indicating the need for gas protection measures within future buildings.

Chemical testing was undertaken on nine samples from made ground and natural materials and identified elevated concentrations of lead within Made Ground, with concentrations up to 370 mg/kg. Elevated concentrations of hydrocarbons were identified in Made Ground, including benzo(b)fluoranthene, benzo(a)pyrene and dibenzo(a,h)anthracene. Speciated hydrocarbon testing indicated exceedances within the aromatic C21-C35 hydrocarbon fraction. Asbestos fibres comprising chrysotile and amosite were identified in six of the nine samples tested, indicating widespread asbestos presence within site soils and demolition materials.

The Haigh Huddleston report concluded that there was a moderate risk to future residents from contamination present within the Made Ground. The consultant recommended remediation comprising removal of major obstructions from deeper Made Ground areas, provision of a clean cover system and incorporation of gas protection measures. Any clean cover system should comprise total thickness of 1.0m due to the presence of asbestos contamination. The report also recommended a separate final gas assessment following completion of the gas monitoring programme.

Delta-Simons. Site Investigation Report, Newsome Mills, Huddersfield. (December 2021). Ref: 21-1514.01.

The Delta-Simons investigation was undertaken to further assess human health risks associated with soil contamination, provide information on relict below-ground structures and undertake a preliminary waste classification assessment for the proposed development of 42 residential dwellings. The report utilised the 2020 Haigh Huddleston desk study, preliminary risk assessment and CSM as the basis for the intrusive investigation design.

The intrusive investigation comprised sixteen trial pits across the site to depths of up to 4.4m bgl. The investigation confirmed the presence of Made Ground across the site, typically between 0.3m and 3.9m thick, with the deepest Made Ground in the western part of the site. Several relict underground structures, including brick walls and foundations associated with the former mill, were encountered within the Made Ground.

A Generic Quantitative Risk Assessment (GQRA) was undertaken for a residential end use. Chemical testing identified elevated lead concentrations within Made Ground at twelve of the sixteen locations, with concentrations up to 2,300 mg/kg. Arsenic exceeded residential assessment criteria at two locations. Several PAH compounds exceeded residential assessment criteria. The report noted that the contamination pattern broadly reflected that identified by the earlier Haigh Huddleston investigation.

Asbestos was identified in five locations within Made Ground. Chrysotile, amosite and crocidolite asbestos were detected, with asbestos quantification up to 0.24%. No evidence of free-phase petroleum hydrocarbons was identified during the investigation.

The report also undertook a preliminary waste classification assessment. Most Made Ground materials were considered likely to classify as non-hazardous waste, however, materials at several locations were identified as potentially hazardous due to elevated metal concentrations. Waste Acceptance Criteria (WAC) testing indicated that some materials may not be suitable for disposal at inert landfill facilities but could be accepted at stable non-reactive waste facilities, subject to further characterisation.

The revised CSM identified contaminant linkages between Made Ground contamination (including lead, arsenic, PAHs and asbestos) and future residents through direct contact, ingestion, inhalation and home-grown produce consumption pathways. The report concluded that these risks could be mitigated through development design measures. Recommendations included preparation of a Remediation Strategy incorporating a minimum 600mm clean cover system in landscaped areas, implementation of ground gas protection measures, management of asbestos risks during construction, a hotspot protocol for unexpected contamination and preparation of a Materials Management Plan for any reuse of Made Ground soils.

Whilst Delta-Simons recommended implementation of gas protection measures, it did not itself undertake a gas risk assessment, instead stating that further monitoring and assessment had been undertaken by Haigh Huddleston & Associates.

Comments

The applicant has submitted information in support of the application, comprising a Haigh Huddleston Geo-environmental report (2020) and the subsequent Delta Simons Site Investigation (2021). The earlier report provides the Phase I Desk Study, preliminary CSM and risk assessment, whilst the latter develops the site characterisation through additional intrusive investigation and quantitative risk assessment. Together, these reports provide a significantly more complete assessment of land contamination risks than was available during previous planning submissions.

The submitted information identifies the site as former woollen mill land with widespread Made Ground present across the site. Chemical testing has identified elevated concentrations of lead, arsenic, petroleum hydrocarbons and PAHs within Made Ground soils, together with the presence of asbestos in several sample locations. Ground gas monitoring identified elevated carbon dioxide concentrations, and the site has been classified as requiring CS2 gas protection measures for future residential development. The reports conclude that the identified risks can be managed through an appropriate remediation strategy incorporating

clean cover, gas protection measures, asbestos management procedures and protocols for dealing with unexpected contamination.

The adopted approach is generally consistent with the principles of the Land Contamination Risk Management (LCRM) framework. The intrusive investigation has identified the principal contaminants of concern and has established pollutant linkages relevant to the proposed residential end use.

It is noted that the submitted geo-environmental assessments were undertaken in 2020 and 2021 and are now approximately five to six years old. Since the investigations were completed, the wider site setting has evolved, including the development of residential properties on land associated with the former mill ponds to the south and south-east of the site. As such there are now additional residential receptors near the application site, including properties with private gardens. Whilst the age of the reports does not necessarily invalidate their findings, consideration should be given to whether the CSM and risk assessment remain fully representative of current site conditions and the surrounding environment.

Construction Environmental Management Plan (CEMP)

The applicant has submitted a Construction Environmental Management Plan (CEMP) which has been reviewed in relation to matters within the remit of Environmental Health, namely:

- Construction noise and vibration;
- Dust and air quality impacts; and
- Temporary site lighting.

The CEMP identifies the Site Manager as the responsible person for implementing environmental controls and provides a mechanism for communication with neighbouring residents, including the display of contact details and a complaints procedure. Construction working hours are proposed to be restricted to 07:30-18:00 Monday to Friday and 08:00-14:00 on Saturdays, with no working on Sundays or Bank Holidays.

<u>Dust</u>
The submitted CEMP includes a range of measures intended to minimise dust emissions during the construction phase, including water suppression, wheel washing, road cleaning, management of stockpiles and dust suppression during cutting and crushing activities. These measures are broadly consistent with those identified within the submitted Air Quality Screening Assessment.

However, as the Air Quality Screening Assessment has been identified as requiring revision to address a number of inaccuracies and inconsistencies relating to the construction dust assessment, it may be necessary for the CEMP to be reviewed and updated accordingly to ensure that it remains consistent with the findings and mitigation measures contained within any revised air quality assessment.

Environmental Health would therefore expect the final CEMP and the approved Air Quality Assessment to be aligned and all construction-phase dust mitigation measures identified within the revised assessment to be incorporated into the construction management arrangements and implemented throughout the construction phase.

Noise and Vibration

The CEMP identifies potential noise-generating activities and proposes a number of mitigation measures, including the use of well-maintained plant and equipment, restrictions on working hours, minimisation of engine idling, strategic positioning of equipment away from sensitive receptors where practicable, and the use of screening where required.

Whilst the document contains a range of appropriate mitigation measures, it does not provide significant detail regarding noise monitoring methodologies or demonstrate how compliance with recognised best practice guidance will be achieved. Construction activities should therefore be undertaken in accordance with BS 5228: Code of Practice for Noise and Vibration Control on Construction and Open Sites, including the implementation of appropriate monitoring and record-keeping arrangements where necessary.

Odours

Odour The applicant has submitted an Odour Assessment authored by NoiseAir dated 17 July 2025 Ref P8726-R1-V1. It identifies the neighbouring environment and the potential sources of odour which may impact upon the proposed development.

In accordance with the Air Quality Management (IAQM) Guidance, an assessment of the odour has been undertaken from four locations as shown in figure 2 with the results discussed in Section 5. The report concludes the impact to be negligible.

The findings of the submitted report are accepted.

Recommendations

NC9 Noise Assessment Report and Mitigation Scheme - Condition

Before construction work commences a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development (e.g. including road traffic and/or commercial premises) shall be submitted to and approved in writing by the Local Planning Authority.

The report shall:

a) Determine the existing noise climate
b) Predict the noise climate in 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 (including ventilation if required).

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

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

AQIAC1 Revised Air Quality Screening Assessment – Condition
No development shall commence until a revised Air Quality Screening Assessment has been submitted to and approved in writing by the Local Planning Authority. The revised assessment shall address the issues identified by the Local Planning Authority, including the baseline air quality assessment, construction dust assessment and trackout assessment, and shall determine the impact of the development on local air quality (taking into consideration any cumulative impact from other local developments.
Reason: For promoting sustainable development and transport and conserving the natural environment in accordance with parts 2, 9 & 15 of the NPPF and LP20, LP24, LP47 of the Local Plan.

AQIAF1 Air Quality Impact Assessment - Footnote
For low emission mitigation measures to be considered as acceptable, measures must be proposed above what is normally provided at a development. For example, the costs of providing footpaths and standard electric vehicle charging points would not be accepted as part of the costed mitigation measures. For further information refer to the West Yorkshire Low Emission Group document *Air Quality and Emissions - Technical Planning Guidance which is part of the West Yorkshire Low Emissions Strategy 2016-2021.*

In the absence of acceptable proposals for Low Emission Mitigation Measures of sufficient value, a section 106 agreement may be required for the amount up to the estimated damage cost made available to the local authority to spend on air quality improvement projects within the locality.

CLC2 Submission of a Phase 2 Intrusive Site Investigation Report - Condition
Notwithstanding the submitted geo-environmental reports, no development shall commence until updated site investigation information has been submitted to and approved in writing by the Local Planning Authority. The information shall provide commentary on whether the existing site characterisation, conceptual site model and risk assessment remain representative of current site conditions and identify any additional intrusive investigation required.
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. 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.

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.