
From: Kevin Ellam
Sent: 10 January 2017 15:45
To: Steve Hopwood
Cc: Alexandra Garry
Subject: Planning Response
Attachments: KP20A.docx

Good Afternoon Steve

Please see attached planning response for,

2016/94117
Outline application for residential development (C3)
Lees Hall Road, Thornhill Lees, Dewsbury, Kirklees

If you require anything else please let me know.

Regards

Kevin Ellam
Senior Technical Officer
Pollution & Noise Control
Kirklees Council

01484 221000

Kirklees Council Night Time Noise Service Call 01484 414828

for the investigation of noise complaints between the hours of: 9pm - 5:30am Friday evening to Saturday morning & Saturday evening to Sunday morning.

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**Town and Country Planning Act 1990
Application for Permission to Develop Land**

Response from Pollution & Noise Control

PNC Reference No:	WK/201628230
Name of Planning Officer dealing with the matter:	Steve Hopwood
Application Number:	2016/94117
Proposed Development:	Outline application for residential development (C3)
Location:	Lees Hall Road, Thornhill Lees, Dewsbury, Kirklees
Date Required By Planning:	5th January 2017

COMMENTS

I have reviewed the information submitted by the applicant and recommend the following conditions:

CONTAMINATED LAND

I have reviewed the Phase I Contaminated Land report submitted by Lithos (ref: 2336/1A) dated April 2016 and agree with its findings. Therefore I recommend the following conditions:

CLC2 *Submission of an Intrusive Site Investigation Report (Phase II Report)*

[Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (CLC1)] Development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the local planning authority.

CLC3 *Submission of Remediation Strategy*

[Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2)] Development shall not commence until a

Remediation Strategy 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.

CLC4 *Implementation of the Remediation Strategy*

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 works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, 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.

CLC5 *Submission of Validation Report*

Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the local planning authority.

CLC 7 Footnote to be applied to all applications

All contamination reports shall be prepared in accordance with CLR11, PPS23 and the Council's Advice for Development documents or any subsequent revisions of those documents.

NOISE

Before development commences a report specifying the measures to be taken to protect the development from noise from Lees Hall Road , Thornhill Lees, Dewsbury shall be submitted to and approved in writing by the LPA

The report shall

- (i) Determine the existing noise climate
- (ii) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development (this is for housing think whether there would be alternative wording for other uses)
- (iii) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

Unless otherwise agreed in writing with the LPA 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.

AIR QUALITY

I have reviewed the pre application 2016/60/94117/E for C3 residential development at the land off Lees Hall Road, Dewsbury.

The pre application information was reviewed in accordance with the West Yorkshire Low Emission Strategy Planning Guidance.

This application is to construct a 120 Class C3 residential houses with associated parking, access, servicing and landscaping. The threshold for C3 use for medium size development is >50 properties. In accordance with WYLES Planning Guidance this development as a minimum would be regarded as a Medium development. The development is also next to an area of known poor air quality that is an air quality management area.

It is also noted that the applicant has also applied for pre application 2016/60/94118/E on a site in close proximity to this one. The application 2016/60/94118/E is for C3 residential development at the land off Ravensthorpe Road, Dewsbury.

This application also proposes the construction of 120 Class C3 residential houses with associated parking, access, servicing and landscaping. As previously stated, the threshold for C3 use for medium size development is >50 properties. In accordance with WYLES Planning Guidance this development would also as a minimum would be regarded as a Medium development

We have considered the cumulative impact from both sites and require the following conditions applying on both applications:

- Low emission vehicle charging points in all dedicated parking and 10% of unallocated parking spaces which may be phased with 5% initial provision and the remainder at an agreed trigger level
- Provide the local authority with a low emission travel plan

I also recommend the following advice is given to the applicant,

To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

07.30 and 18.30 hours Mondays to Fridays

08.00 and 13.00hours , Saturdays

With no working Sundays or Public Holidays

In some cases, different site specific hours of operation may be appropriate.

Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out.

Date:

9 January 2016

Officer:

Kevin Ellam 01484 221000