

KIRKLEES DEVELOPMENT TEAM

ADVICE FOR DEVELOPERS

CONTAMINATED LAND – ADVICE FOR DEVELOPMENT

WHY SHOULD I READ THIS?

Because of its industrial history, some of the land in Kirklees is potentially contaminated with substances which can restrict its future use without significant remedial works. This leaflet explains the process which is used by the council to ensure that appropriate consideration has been given to identifying the presence of contamination, and if present to its control.

WHAT IS A CONTAMINATED LAND REPORT?

A contaminated land report is a document used within the planning process to assess the implications of any existing ground contamination on the proposed development. This document is used to identify any contamination on the site and to ensure that the necessary remedial measures are taken to mitigate the impact of any existing contamination on either the environment or health.

DO I NEED TO CONSIDER CONTAMINATED LAND WITH MY PLANNING APPLICATION?

Some of the land in Kirklees is potentially contaminated with substances which can limit its future use without significant remedial works. Very few sites are so badly contaminated that they cannot be used at all but they must be made suitable for the intended use. The aim of this “suitable for use” approach is where practicable to deal with any unacceptable risks to health or the environment taking into account the intended use. When submitting a planning application it is your responsibility to provide information on whether the site is contaminated.

WHAT INFORMATION DO I NEED TO SUPPLY?

Supporting reports should be prepared by appropriately qualified professionals and submitted with your planning application. A checklist of the scope and contents of such reports is given in the Contaminated Land Checklist.

The exact scope of consideration given to each point will be dependant upon the previous use of the site and the extent of the potential or actual contamination. The scope of submitted reports must reflect the size and complexity of the site, necessary levels of investigation as well as likely contamination risks.

Four copies of each report should be submitted in hard copy format per application.

Failure to include at least the level of information described in Contaminated Land checklist may result in requests for further information and hence significant delays in

processing your application. Your application may even be refused if sufficient information has not been provided.

WHEN SHOULD I DO THIS?

You should submit your supporting report together with your planning application. The case officer will then forward this report to the appropriate consultees for comment.

WHERE CAN I GET MORE INFORMATION OR HELP?

A list of key reference documents is included overleaf. This list is not exhaustive or exclusive, but indicates the more relevant guidance and information that is available. Environmental Services holds a database of sites that may be contaminated as a result of previous activities. This database cannot be guaranteed to contain all sites, but consists of approximately 4,000. If you would like a search to be undertaken before preparing your application you should put your request in writing, enclosing a site plan, brief details of the proposed development and, if possible, a grid reference and send it to the address below. A charge will be made for this service and cheques made payable to Kirklees MC should be included with your application.

Web Resources:

www.contamlinks.co.uk

www.environment-agency.gov.uk

www.kirklees.gov.uk/publications/contland.pdf

www.silc.org.uk/register.htm

Kirklees Council Contacts:

Pollution and Noise Control

Environmental Services

Riverbank Court

Wakefield Road, Aspley

Huddersfield

HD5 9AA

Tel: 01484 226417 Fax: 01484 226409

Publications:

Environmental Protection act 1990, Part 2A

Contaminated Land (England) Regulations 2006. SI 2006/1380 HMSO

Investigation of Potentially Contaminated Sites – code of practice, BS10175:2001

Planning Policy Statement 23: Planning and Pollution Control, ODPM,2004

Circular 01/2006 Environmental Protection Act 1990:Part 2A, Defra

CLR Report No1: A framework for assessing the Impact of Contaminated Land on Ground Water and Surface Water, DoE 1993

CLR Report No2: Guidance on Preliminary Site Inspection of Contaminated Land, DoE 1994

CLR Report No3: Documentary Research on Industrial Sites, DoE 1994

CLR Report No4: Sampling Strategies for Contaminated Land, DoE 1994

CLR Report No7: Assessment of Risks to Human Health from Land Contamination: An Overview of the Development of Soil Guideline Values and Related Research, Defra and EA, 2002

CLR Report No8: Priority Contaminants for the Assessment of Land, Defra and EA, 2002

CLR Report No9: Contaminants in Soil: Collation of Toxicological Data and Intake Values for Humans, Defra and EA, 2002

CLR9 TOX 1-10, Toxicological Reports for Individual Soil Contaminants, Defra and EA, 2002

CLR10 GV1-10: Soil Guideline Value Reports for Individual Soil Contaminants, Defra and EA, 2002

CLR Report 11: Model Procedures for the Management of Land Contamination, Defra and EA, 2004

Industry profiles – 47 separate publications available from the Stationary Office, London