

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

**Response from Pollution & Noise Control**

<b>PNC Reference No:</b>	WK/201625902
<b>Name of Planning Officer dealing with the matter:</b>	Bill Topping
<b>Application Number:</b>	2013/62/90497/E
<b>Proposed Development:</b>	Erection of new industrial units at Little Royd Mills, Low Road, Earlsheaton, Dewsbury, WF12 8BU
<b>Location:</b>	Magma Ceramics, Low Road, Earlsheaton, Dewsbury, WF12 8BU
<b>Date Required By Planning:</b>	10th November 2016

<b>COMMENTS</b>
<p>I have analysed the Phase 2 report (ref 16-05-06) by Demeter Environmental Ltd. I agree with its findings and its recommendations for remediation.</p> <p>To that end we can discharge the conditions relating to a phase 2 report, however, as it recommends remediation we cannot discharge any conditions pertaining to remediation i.e. –</p> <p>CLC3 Submission of Remediation Strategy</p> <p>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.</p> <p>CLC4 Implementation of the Remediation Strategy</p> <p>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</p>

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.

#### CLC6 Reporting of Unexpected Contamination

In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, 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 on site shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved 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 whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the local planning authority.

<b>Date:</b>	10.11.2016	<b>Officer:</b>	Michael Pogson Ext 860
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