

<b>Consultation Response from: KC Environmental Health (Pollution &amp; Noise Control)</b>		
<b>2019/92261 - former Woolpack Inn, 167, Heckmondwike Road, Dewsbury Moor, Dewsbury, WF13 3NS</b>		
<b>Erection of 8 bedroom care home (C2)</b>		
<b>Date Responded:</b> <b>23 Aug 2019</b>	<b>Responding Officer:</b> <b>Richard Hume</b>	<b>Responding Ref:</b> <b>WK/201914783</b>
<p><b>Contaminated Land</b></p> <p><u>Phase 1 report</u></p> <p>Two Phase I Desk Study Report by RB Geotechnical have been submitted. One report is dated January 2017 (ref: RBG011 issue 001 Final) relates to the construction of 10 residential properties and not the current application, and this report excluded the appendices. This has therefore not been assessed.</p> <p>The other Phase I Desk Study Report by RB Geotechnical is dated June 2019 (ref: RBG011 Issue 001 Final) although the site walkover was undertaken in Jan 2017 and the ground sure information on which the report is largely based is dated 6 Jan 2017. This report relates to the current application for the construction of a single storey care home. This is therefore the report that has assessed.</p> <p>The report identifies the likely presence of made ground on the site from previous developments, shallow coal seams below the site and infilled ground in the vicinity of the site. It considers that there are potential risks from ground gas from made ground, infilled land and coal mining. It also considers that the soils may be potentially contaminated, particularly in the made ground and also in the former car parking areas of the site. The report considers that there is a low to moderate risk from contamination and recommends progressing to a Phase 2 intrusive investigation.</p> <p><u>Phase 2 report</u></p> <p>As with the Phase 1 report, two Phase II Interpretative Report by RB geotechnical have been submitted. One of these reports dated June 2017 (and also conflictingly dated May 2017 on the front sheet) (ref: RBG106 issue 002 Final) relates to a proposed development of 10 residential properties and not the current application and excludes the appendices. This report has therefore not been assessed.</p> <p>The other Phase II Interpretative Report by RB geotechnical dated June 2017 (also conflictingly dated June 2019 on the front sheet) (ref: RBG129 issue 002) related to an intrusive investigation of the site that was carried out in March 2017. This report relates to the current application for an 8 bed care home. This is the report that has been assessed.</p> <p>The report includes geotechnical information that is outside the remit of Environmental Health, this response only relates to the contaminated land aspects of the report.</p> <p>The report details an intrusive investigation of the site involving 10 trial pits, four rotary open boreholes, three of which were used for ground gas monitoring comprising of 6 visits over 5 weeks. Soil samples were also taken and submitted for analysis.</p>		

The investigation found shallow but intact coal seams and concludes that there has been no mining under the site. The ground gas monitoring detected low concentrations of just carbon dioxide and concluded that gas protection measures are not required. The analysis of soil samples found elevated levels of some contaminants at various locations of the site and recommended that these require remediation to remove the risk.

The six ground gas monitoring visits were undertaken between 4 April and 9 May 2017 which is a period of just 36 days. There is no explanation in the report why such a short monitoring was considered to be adequate. A longer duration of ground gas monitoring would normally be expected.

I agree with the conclusions and recommendations of the above mentioned assessed Phase 1 and Phase 2 Contaminated Land Reports consider that they should be accepted. Contaminated land conditions are still necessary for the remediation that is recommended in the Phase 2 report.

### **Electric Vehicle Charging Points**

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.

### **Recommended Conditions**

#### **CLC3 *Submission of Remediation Strategy - Condition***

Groundworks 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.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 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. 178 and 179 of the National Planning Policy Framework

**CLC5 Submission of Validation Report - Condition**

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. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site 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.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework

**CLC 7 Contaminated land - Footnote**

All contamination reports shall be prepared in accordance with *Model Procedures for the Management of Land Contamination – Contaminated Land report 11 (CLR11)*, National Planning Policy Framework (NPPF) and the Council's Advice for Development documents or any subsequent revisions of those documents.

**EVC1 Electric Vehicle Charging Points - Condition**

Before the electrical system is installed, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:-

- A Standard Electric Vehicle Charging point (of a minimum output of 16A/3.5kW) for each residential unit that has a dedicated parking space
- One Standard Electric Vehicle Charging Point for every 10 unallocated parking spaces

Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational. Charging points installed shall be retained thereafter.

**Reason:** To accord with the guidance contained in sections 9 and 15 of the National Planning Policy Framework, West Yorkshire Low Emissions Strategy and to encourage low carbon forms of transport in accordance Policies LP21 and LP51 of the Kirklees Local Plan

**EVF1 Electric Vehicle Charging Points – Footnote**

- A Standard electric vehicle charging point is one which is capable of providing a continuous supply of at least 16A (3.5kW). A 32A (7kW) is however more likely to be futureproof
- Standard charging points for single residential properties that meet the requirements specified in the latest version of "*Minimum technical specification - Electric Vehicle Homecharge Scheme (EVHS)*" by the Office for Low Emission Vehicles will be acceptable. Basically, charging points that provide Mode 3 charging with a continuous output of least 16A (3.5kW) and have Type 2 sockets would be acceptable.
- At non-residential developments, the requirement for one electric vehicle charging

point for every 10 parking spaces may initially be reduced to one charging point for every 20 parking spaces with the remainder provided at an agreed trigger point.

- For developments where some or all of the parking is likely to be used for shorter stay parking (30mins to 4 hours) then Fast (7-23kW) or Rapid (43kW+) charging points may be more appropriate. If Fast or Rapid charging points are proposed together with restrictions on the times that vehicles are allowed to be parked at these points then a lower number of charging points may be acceptable.
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity.
- The installation must comply with all applicable electrical requirements in force at the time of installation.