

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2020/93563 - 81, Common End Lane, Lepton, Huddersfield, HD8 0AF		
Discharge conditions 5, 6, 7 on previous permission 2020/91092 for demolition of existing dwelling (no 81 Common End Lane) to be replaced with a new detached dwelling		
Date Responded: 29 October 2020	Responding Officer: Natalie Heaney	Responding Ref: WK/202031180
Conditions 5 & 6, recommended by the Coal Authority, relate to the risks associated with the coal mining legacy at the site. There is an overlap of these conditions with condition 7, recommended by Environmental Health, which relates to unexpected land contamination issues which includes risks from ground gas. Condition 5 - Coal Mining Legacy For the purpose of discharging Condition 5, a Coal Investigation by Rogers Geotechnical dated 29 Sep 2020 (ref: C902/20/E/1438) has been received. I have read the report supplied by the applicant. The report includes geo-technical information which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the report. Intrusive investigations have been undertaken to establish the exact situation in respect of coal mining legacy features. The following seams were anticipated to under the site, Black Bed Coal (c.15m bgl), Better Bed Band Coal (c. 30m bgl) and Better Bed Coal (c. 45m bgl). Evidence was found during the investigation to suggest coal workings (i.e. flush losses, voids, and intact coal). Ground gas concentrations of methane and carbon dioxide were not detected during the drilling, however due to the water flush drilling technique adopted and the fractured nature of the ground a credible risk from mine gases may remain. It was concluded the workings were likely associated with the Black Bed Coal seam and a moderate risk from mine gas remains. The report then recommended gas monitoring is necessary. Whilst I agree a credible risk from mine gas may exist at the site and that further investigation is required, the coal mining legacy remains only partially investigated. As such, Condition 5 must remain as further information is required relating to mine gas. Any future gas monitoring should be carried out in accordance with CIRIA 665 - <i>Assessing risks posed by hazardous ground gases to buildings</i> guidance. Condition 6 – Remediation Strategy As detailed in the submitted report, further investigation is necessary to determine the risk from mine gas to end-users. In light of the this, the site is not fully risk assessed and a remediation strategy will likely be required following the further work. At this stage, it would be unreasonable to discharge Condition 6. Condition 7 – Unexpected contamination & Validation The above-mentioned credible risks from ground gas come within the scope of this condition. Until the ground gas situation at the site has been fully characterised and addressed and the development has finished and a validation report has been submitted as required by Condition 7, and accepted, Condition 7 cannot be discharged at this time. There is still a		

chance of unexpected contamination to become apparent.

Recommendations

The information submitted for Condition 5 is unsatisfactory as the coal mining legacy is not fully assessed (risk from mine gas). For that reason, I cannot recommend the discharge of Condition 5 at this time.

Until further investigation works have been completed, a remediation strategy cannot be submitted. I cannot recommend the discharge of Condition 6 at this time.

Condition 7 must remain until further notice.