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| <b>Consultation Response from: KC Environmental Health (Pollution &amp; Noise Control)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                     |                                               |
| <b>2021/90875 - Barn at Harroyd Farm, Dean Brook Road, Netherthong, Holmfirth, HD9 3TE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                     |                                               |
| <b>Discharge conditions 4, 5, 13 on previous permission for 2017/92774 for demolition of existing building and erection of detached dwelling</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                     |                                               |
| <b>Date Responded:</b><br><b>16<sup>th</sup> April 2021</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Responding Officer:</b><br><b>Natalie Heaney</b> | <b>Responding Ref:</b><br><b>WK/202107568</b> |
| <p>Conditions 4 and 5 are outside the remit of Environmental Health.</p> <p><b>Condition 13 – Unexpected Contamination</b><br/>To discharge Condition 13, the following documents have been received:</p> <ul style="list-style-type: none"> <li>• A Phase 2 Geo-Environmental Investigation by Dunelm (report ref: M751)</li> <li>• A Remediation Strategy by Beam Consulting dated 6th November 2019 (no reference)</li> </ul> <p>I have read the reports supplied. The Phase 2 Geo-Environmental Investigation by Dunelm (report ref: M751) identified chrysotile asbestos in 2 samples taken from WS02 and WS05 at 0.10 m bgl. The gravimetric analysis confirmed asbestos concentrations of 0.001% and 0.005% respectively. Lead contamination at WS01 (220 mg/kg) is also reported but the author considers that since WS01 is outside the proposed residential development area, no receptors will be affected by the lead contamination. The report concludes by detailing that a remediation strategy will be produced.</p> <p>In the Remediation Strategy by Beam Consulting, it is proposed that the affected made ground is removed and buried at two locations (noted as 'A' and 'B') and capped with a clean cover system to remove the significant pollutant linkages. The report considers that 450mm subsoil and 150mm topsoil upon a 150mm no-dig layer (either membrane or granular material) will provide sufficient clean cover.</p> <p>Whilst I agree with the requirement for remediation there are several issues requiring clarification. For clarity, these have been addressed on a point-by-point basis below:</p> <p>1. It is unclear from the report where the clean cover system will be applied. For instance, the report reads as locations A and B will be remediated using a clean cover system. Yet there is insufficient information concerning the remediation of excavated boreholes (WS02 and WS05) and whether this extends to WS01. Further clarification is required.</p> <p>Paragraph 178b of the NPPF states that planning policies and decisions should ensure that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. So, essentially, we want to ensure that all soft-landscaping areas within the planning boundary are suitable for its intended end-use i.e. residential.</p> <p>2. The remediation strategy fails to provide sufficient information concerning the lateral and vertical extents of asbestos and lead contamination and how the excavated surfaces will be validated. Further information is required detailing how the lateral and vertical extents of asbestos will be confirmed and how the excavation surfaces will be validated to confirm no</p> |                                                     |                                               |

contamination remains.

3. The remediation strategy fails to provide any information with regards to the source of clean cover material and the proposed screening to confirm the suitability of the soils. Further information is required detailing the source of clean cover, any additional testing, and the assessment criteria. These should be presented as part of the remediation strategy.

4. Whilst the remediation strategy states a validation report will be produced, the remediation strategy fails to include important validation proposals, e.g., how the depth of the clean cover will be verified. These must be included in any robust remediation strategy.

5. The clean cover proposed (450mm subsoil and 150mm topsoil upon a 150mm no-dig layer of either membrane or granular material) should be finalised at this stage. Due to the concentration of asbestos reported we are not prepared to accept the remediation proposals because they do not include the provision of a 1000mm cover system within all areas where asbestos fibres will remain within the underlying ground and do not confirm the provision of a geotextile membrane.

Overall, the information provided is unsatisfactory and we cannot recommend the discharge of Condition 13 until further information has been submitted and approved.

The requirements for a Phase 3 report (remediation strategy) can be found in the Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) *Development on Land Affected by Contamination: Technical Guidance for Developers, Landowners and Consultants* (June 2020, Version 11.2) guidance document. Further guidance specific to cover systems can be found in YALPAGs *Verification Requirements for Cover Systems* (dated November 2017, version 3.4) document.

### **Recommendations**

The information received in support of Condition 13 is unsatisfactory. Until further information is received in relation to the remediation of contaminated land, then Condition 13 must remain.