

Consultation Response from: KC Environmental Health (Pollution & Noise Control)

2021/91537 - Dearne Grange Farm, Park Head Lane, Birds Edge, Huddersfield, HD8 8YA

Discharge conditions 3, 4, 14, 16 on previous permission 2020/91484 for demolition of stable block and erection of detached dwelling

Date Responded:
23rd June 2021

Responding Officer:
Natalie Heaney

Responding Ref:
WK/202113595

Condition 16 is outside the remit of Environmental Health.

In our previous response dated 4th June 2021 we recommended that:

- The Phase 1 Desk Study Site Investigation report (ref: G21073) submitted satisfies the requirements for Condition 3, and Condition 3 should be discharged.
- The information provided in support of Condition 4 is unsatisfactory and further information is required. For that reason, Condition 4 must remain.
- Condition 5 to 7 must remain until further notice.
- The location of the treatment plant shown on the drainage plan submitted in support of Condition 14, is deemed to be in a suitable location and has been cited to avoid nuisance to nearby properties. The remaining information submitted in support of this condition is outside the remit of Environmental Health.

Since then, we have received additional information concerning Condition 4.

Condition 4 – Phase II Intrusive Site Investigation Report

In our previous response dated 4th June 2021 reviewed a Phase 2 Intrusive Site Investigation Report by Geo Investigate dated April 2021(ref: G21103) and recommended that Condition 4 remain until further information is received concerning the ground gas risks onsite.

Since then, we identified to the applicant an area of infilled ground (our reference: 71/22) within 250m of the site which had not been considered in the Phase II report. In response, a supporting contaminated land risk assessment dated 18th June 2021 by Geo Investigate has been received. 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.

In the new information, Geoinvestigate first question the reliability of the record provided by this service. Next, the report gives reasons as to why the infilling in this area would not pose a risk to the development in relation to topography and geology. Briefly, the author states that due to the contour of the land ground gas migration would be unfeasible. This is supported by a discussion provided about geology.

It is encouraging to see a supporting discussion that justifies the absence of ground gas monitoring at the site. Having read the report provided, we are now satisfied that the ground gas risk has been determined at the site and that Condition 4 should be discharged.

We note that the applicant has not applied to discharge Condition 5 (Remediation Strategy). It is proposed in the Phase II report (ref: G21103) that the area of TPA where PAH contamination was proven should be encapsulated rather than a 600mm clean cover area.

Whilst we acknowledge encapsulation may break the pollutant pathway at TPA, we still require a remediation strategy as per the requirements Condition 5. This is to ensure that the development is suitable for use following the implemented remediation.

Any remediation statement must at minimum provide details relating to the remediation option finalised and we would also expect this document to include information such as the source of any imported fill material, the assessment criteria for fill materials, the testing schedule, and the contingency plans for unexpected contamination. The Yorkshire and Lincolnshire Pollution Advisory Group (YALPAG) have produced the technical guidance for development on contaminated land. *Development on Land Affected by Contamination: Technical Guidance for Developers, Landowners and Consultants* (dated June 2020, version 11.2) that should be consulted.

Recommendations

The Phase 1 Desk Study Site Investigation report (ref: G21073) submitted satisfies the requirements for Condition 3, and Condition 3 should be discharged.

The new information provided in support of Condition 4 is satisfactory we recommend that Condition 4 is discharged.

Condition 5 to 7 must remain until further notice.

The location of the treatment plant shown on the drainage plan submitted in support of Condition 14, is deemed to be in a suitable location and has been cited to avoid nuisance to nearby properties. The remaining information submitted in support of this condition is outside the remit of Environmental Health.