

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2021/92427 - 48, Stile Common Road, Primrose Hill, Huddersfield, HD4 6DE		
Discharge conditions 9 and 10 on previous permission 2020/91228 for demolition of existing dwelling and erection of residential development to form student accommodation with associated access and parking		
Date Responded: 5th October 2021	Responding Officer: Natalie Heaney	Responding Ref: WK/202125277
Conditions 9 and 10 were recommended by the Coal Authority and relate to the Coal Mining legacy. Environmental Health were not originally consulted on previous permission 2020/91228. We acknowledge there is an overlap with Condition 9 as the coal mining legacy features may present an environmental health risk (e.g. from mine gases or combustion). Condition 10 relates to surface stability. This is outside the remit of Environmental Health. Condition 9 – Intrusive Site Investigation Works (Coal Mining Legacy) Environmental Health have previously provided comments on the following documents: • A Coal Investigation report by Rogers Geotechnical Services Ltd, dated 10th June 2021 (ref: C337/20/E/1956). • An Addendum titled ‘Gas Monitoring at Stile Common Road, Newsome, Huddersfield’ by Rogers Geotechnical Services Ltd, dated 23rd August 2021 (ref: C337/19/E/GM). In our most previous response dated 1st September 2021, we recommended that Condition 9 should remain as there are several points which require clarification. Now, we have received an email from Rogers Geotechnical Services (RGS) dated 7th September 2021. In response to our concerns about the number of boreholes (only one borehole has been sunk and monitored) and the placement of the sole borehole, the email details that only one location was deemed safe to drill. The response reads: <i>‘Upon arriving at the site, it was evident that there were very shallow coal workings beneath the site as a void has opened up at the site surface. We were able to push a 3m piece of wood laterally into these voids which provides an indication of the width, length and depth of these features. We therefore had to put an excavator on site to explore such workings prior to letting the drilling rig on. Ultimately, only one location was deemed to be safe to drill where there was a sufficient area of competent ground i.e. no voiding. Thus, only one borehole and standpipe has been installed.’</i> A further concern we raised was whether BH01 and R01 are the same borehole, which we now note as a typographical error. In response, to our point concerning the spatially and temporally limited data presented, RGS indicate that one reading was taken during falling pressure to represent a worsened case but imply that further monitoring is possible should we require. Lastly, in response to our point concerning calorific testing, it is indicated that the client intends to remove coal from the shallow workings and reinstate the excavation with engineered fill resulting in no shallow coal. As such, it is considered that no calorific testing is required in the long term.		

We also note the proposals for the installation of Characteristic Situation Level 2 gas protection which is considered in the email as reasonable protection from ground gases given the very low concentrations of gas and flow rates recorded.

Having read the email response, we acknowledge that very shallow workings made the intrusive site works difficult. However, we consider that the existing ground gas data set has poor temporal and spatial coverage with a limited number of standpipes (i.e. one) and fails to target sensitive areas of the development. Whilst we acknowledge that voids on-site may have impacted the site investigation in the northern section of the site, it is unclear how the existing data set can confirm, to a high degree of confidence, whether the coal mining legacy at the site is affecting the ground gas regime.

As deeper ground conditions were only confirmed in one location, we have concerns that the provision of backfilled material may give rise to horizontal migration of gas that has accumulated in deeper workings to off-site sources. In the absence of a full assessment of all potential pathways, it is unclear whether this would remove all potential risks. We also cannot accept the proposals for gas protection elements for a Characteristic Situation 2 (CS2) site as it would be unclear without further work, whether CS2 protective elements would be suitable for the proposed development. For instance, the site could fall into CS3, in which case CS2 measures would be inadequate.

Overall, our position remains unchanged from our previous responses, we do not recommend the discharge of Condition 9. Readings from one borehole only are deemed unsatisfactory and it is unlikely we will accept any additional data from only one borehole given the sensitivity of the site and the proven coal mining legacy on-site. As such, we request additional information. To characterise the ground gas regime at the site, desk study information must be collected and critically assessed to develop a conceptual site model that identifies all potential and existing sources of ground gas, pathways and receptors. The additional information must also detail the extent of the workings and include an updated conceptual model that addresses the remediation proposals and potential changes to gas pathways. This must be undertaken in accordance with current land contamination guidance.

Recommendations

The information provided in support of Condition 9 is unsatisfactory. We recommend that Condition 9 remains until further notice.