Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2022/91552 - 33, Belle Vue Street, Healey, Batley, WF17 8DD		
Discharge conditions 3 (materials), 5 (Phase I Desk Study Report), 14 (wastes) on previous permission 2021/92271 for erection of 2 semi-detached dwellings		
Date Responded: **13th July 2022**	**Responding Officer:** **Natalie Heaney**	**Responding Ref:** **WK/202221890**

Conditions 3 and 14 are outside the remit of Environmental Health.

Condition 5 - Phase I Desk Study Report
To discharge Condition 5, a Phase 1 Geoenvironmental Risk Assessment by Michael D Joyce Associates (MDJA), dated April 2022 (ref: 4202) has been submitted. The report includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the report.

A site walkover was undertaken on 21st April 2022. Clearance work was underway, and no visible contamination of the site surface was observed. Photographs taken during the walkover have been provided. No previously recorded commercial or industrial use has been recorded on the historical maps for the site. However, the report identifies potential off-site sources of contamination. These include a former landfill site approximately 44m to the northwest of the study site (inert, commercial and industrial). However, it is added that the operator of the landfill was an excavation business, and the fill is most likely to be demolition material, tipping of which ceased 38 years ago. Nevertheless, a moderate risk from ground gases has been identified for landfill gases, radon, VOCs and SVOCs. The report recommends the installation of basic gas protection measures (required for radon) which '*should also be designed to protect against low levels of potential ground gases (methane and carbon dioxide).'* The report then closes by advising should any suspicious or unusual odours, colours, liquids or soils are uncovered then the MDJA should be contacted for further advice.

Having read the report, mine gases do not appear to have been included in the preliminary conceptual model despite the Coal Authority report stating the likelihood of probable unrecorded shallow workings. Concerning the nearby landfill, it is inappropriate to simply assume the likely fill of the nearby landfill and whilst we acknowledge that the report recommends the installation of basic ground gas protection measures, we cannot accept these proposals and do not accept the risk assessment undertaken.

Given the proximity of the nearby landfill, the potential of mine gases from possible workings existing on site and the sensitive end-use, we would expect a period of ground gas monitoring to be proposed in accordance with best practice guidance. Without further work, it is unclear what proposed protective elements would be suitable for the proposed development.

Therefore, we do not accept the Phase 1 Geoenvironmental Risk Assessment by Michael D Joyce Associates (MDJA), dated April 2022 (ref: 4202) and recommend Condition 5 remain until further notice. A more detailed risk assessment is necessary.

Recommendations
Condition 5 - Phase I Desk Study Report

We do not accept the Phase 1 Geoenvironmental Risk Assessment by Michael D Joyce Associates (MDJA), dated April 2022 (ref: 4202) and recommend Condition 5 remain until further notice. A more detailed risk assessment is necessary.