Kirklees COUNCIL

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/91248 - Cherry Tree Surgery, 132, Upper Commercial Street, Batley, WF17 5DH		
Discharge conditions 3 (landscaping), 4 (Phase II Site Investigation Report), 5 (Remediation Strategy), 9 (retaining walls) on previous permission 2021/94474 for erection of single storey extension and formation of additional parking spaces (within a Conservation Area)		
Date Responded: **30th May 2023**	**Responding Officer:** **NH**	**Responding Ref:** **WK/202312588**

Conditions 3 and 9 are outside the remit of Environmental Health.

Condition 4 – Phase II Site Investigation
To discharge Condition 4, a Geo-Environmental Appraisal by Groundtech Consulting, dated February 2023 (ref: GRO-22384-4134) has been received.

The report details the findings of an intrusive investigation undertaken in November 2022. Three windowless sample boreholes and three hand-dug trial pits were dug and samples were retrieved to examine the presence of potential pollutant linkages. The results from the laboratory analysis were then screened against a relevant screening criterion.

The investigation confirmed the presence of asbestos (<0.001% w/w chrysotile in WS03 and <0.001% w/w crocidolite in HP01). No other contaminants were found in concentrations above the assessment criteria. In addition to the soil analysis, one ground gas monitoring visit has been reported when atmospheric pressures were 1013-1014 mB. No methane was recorded. Carbon dioxide peaked at 1.7 % v/v and the lowest oxygen concentration reported was 19.1% v/v. The report considers the site to be a CS1 site however it is acknowledged in the report that additional ground gas monitoring is needed due to the potential pollutant linkage identified.

We accept the Geo-Environmental Appraisal by Groundtech Consulting, dated February 2023 (ref: GRO-22384-4134). However, we do not consider the site fully characterised. At minimum, before we can reconsider the discharge of Condition 4, we require the submission of additional ground gas monitoring and a revised ground gas assessment. We also require additional information and clarification in relation to post-demolition asbestos survey and a risk assessment to be undertaken as this does not appear to be covered in the report. Lastly, we require site of the additional shallow coal mining investigation referred to in the report.

For these reasons, we recommend that Condition 4 remain until further notice.

Condition 5 – Remediation Strategy
We do not consider the site to be fully characterised at this stage. In addition, no standalone remediation strategy has been submitted in support of Condition 5. Therefore, it is unclear how we can consider the discharge of Condition 5 at this time. We recommend that Condition 5 remain.

<u>Recommendations</u>
Condition 4 – Phase II Site Investigation
We accept the Geo-Environmental Appraisal by Groundtech Consulting February 2023 (ref:

GRO-22384-4134). However, the information does not wholly satisfy the requirements of the condition. Therefore, Condition 4 must remain until further notice.

Condition 5 – Remediation Strategy
It is unclear how we can consider the discharge of Condition 5 at this time. We recommend that Condition 5 remain.