

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2023/91949 - Peace Wood Quarry, Huddersfield Road, Shelley, Huddersfield, HD8 8LH
Extension to existing quarry
Date Responded:
17th June 2024
Responding Officer:
RM, MN, NH
Responding Ref:
WK/202409266

Further to our comments dated 21st November 2023, additional information has been received in relation to contaminated land. This response relates to contaminated land matters only.

Contaminated Land

Further to our comments dated November 2023, the applicant has provided a Risk Assessment and Conceptual Site Model, authored by MPG, dated 15th March 2024 (ref: 320/1—R1.1 – RiskAssessment_CSM). The report includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspect of the report

The report describes the site history, and the environmental setting. This information has been used to inform the conceptual site model and risk assessment undertaken by MPG. MPG conclude that there are no source-pathway-receptor linkages in relation to the proposals. We accept the report and recommend the following conditions and footnote be applied to any consent granted. These recommendations cover unexpected contamination.

Recommended Conditions

We require additional **information before the application is determined relating to air quality**. Contaminated land matters have been addressed and we make the following recommendations:

CLC6 Reporting of Unexpected Contamination – Condition

If contamination, the presence of coal and/or evidence of coal workings is encountered during the development, all works in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the

Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework.

CLC7 Contaminated land - Footnote

All contamination reports shall be prepared by a suitably competent person, as defined in Annex 2 of the National Planning Policy Framework. Reports must be prepared in accordance with the following guidance:

- *Land Contamination Risk Management (LCRM)*
- BS 10175:2011+ A2:2017 *Investigation of Potentially Contaminated Sites. Code of Practice*
- *Development on Land Affected by Contamination - Technical Guidance for Developers, Landowners & Consultants - (v11.2) June 2020* by the Yorkshire and Lincolnshire Pollution Advisory Group.

The conditions relate to Planning Control only. Approval under the Building Regulations may also be required, and the applicant should contact their Building Control Provider for further information. Any other necessary consent must be obtained from the appropriate authority. If the applicant commences work without discharging conditions, they will be at risk of enforcement action and invalidating the permission if the planning condition is a pre commencement condition.