

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2023/92017 - Gomersal Hall, Oxford Road, Gomersal, Cleckheaton, BD19 4AT
Discharge conditions 3 (materials), 7 (EDS), 10 (Phase I Desk Study Report), 11 (Phase II Intrusive Site Investigation Report), 16 (construction traffic) on previous permission 2020/90350 for demolition of existing buildings and erection of 7 dwellings and associated garages (within a Conservation Area)
Date Responded:
2nd November 2023
Responding Officer:
NH
Responding Ref:
WK/202334070
Condition 11 – Phase II Intrusive Site Investigation Report

Further to our October 2023 comments, the applicant has provided a Phase 2 Site Investigation Report by Rogers Geotechnical Services Ltd, dated October 2023 (ref: C1772/21/E/4286). 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.

In October 2023, further contamination testing was undertaken within the woodlands present surrounding the perimeter of the site. All investigatory locations have been presented in Appendix 1 of the report. The samples obtained from near-surface soils within the woodland and designated public open spaces have been compared to the ATRISK soil screening values (SSVs). In the three new samples tested, no contaminants exceeded the selected SSV. The report concludes that the soils present within the woodlands and the proposed public open space are generally uncontaminated for public open space land use.

Having read the report provided, we note that some of the samples tested would have exceeded more-sensitive screening criteria (i.e. residential scenarios). However, we understand that these areas are part of the woodland area which is to be managed and retained as woodland and not disturbed as per Condition 6, even if these fall within the curtilage of private gardens. Therefore, we are satisfied with the information and recommend Condition 11 is discharged.

Recommendations
Condition 11 – Phase II Intrusive Site Investigation Report

We accept the report provided and recommend that Condition 11 is discharged.

INFORMATIVE

We remind the applicant that any unexpected contaminated must be reported in accordance with Condition 13. Should any fill material either site-won or imported be employed at the site as part of the development, then further information will be necessary under Condition 13. Where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner as per Paragraph 184 of the National Planning Policy Framework.