

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/92347 - Longley Park Motors Ltd, The Triangle, Paddock, Huddersfield, HD1 4RU		
Partial demolition and rebuild on the same footprint as the original structure. Works to include the removal of the first floor offices and the canopy over the former petrol station pumps. New materials used in construction are to match the existing		
Date Responded: 17 th April 2024	Responding Officer: NH	Responding Ref: WK/202410201
<p>Contaminated Land Further to our comments dated 6th September 2023, we have received a Pre-Construction Ground Investigation Report authored by Subadra, dated August 2023 (ref: EN22119 CL 002) in received in support of the application. 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.</p> <p>We have read the report and do not accept it at this time. First, it is unclear what screening criteria has been used to risk assess the results from the laboratory. Secondly, we do not agree with the risk rating in relation to the VOCs as limited information has been provided in regards to the construction of the building and its unclear how the risks from VOCs would be managed in the existing structure. The report also recommends additional monitoring and testing, so we do not consider the site to be fully characterised. For these reasons, we recommend the following conditions.</p> <p><u>Recommended Conditions</u> These contaminated land conditions supersede those recommended in September 2023 (CLC2-CLC5, CLC7).</p> <p>CLC2 Submission of a Phase 2 Intrusive Site Investigation Report - Condition Groundworks (other than those required for a site investigation report) shall not commence until a revised Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and 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</p> <p>CLC3 Submission of Remediation Strategy - Condition Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2) further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. 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</p> <p>CLC4 Implementation of the Remediation Strategy - Condition Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (CLC3). In the event that remediation is</p>		

unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered is identified or encountered on site, all groundworks 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 shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

CLC5 Submission of Verification Report - Condition

Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures 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.