

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2023/92448 - Former Cooper Bridge Water Treatment Works, Leeds Road, Mirfield, WF14 0BT
Outline application for erection of B8 industrial unit with details of access points only
Date Responded:
22nd September 2025
Responding Officer:
NH
Responding Ref:
WK/202523088
Contaminated Land

Our records indicate that the site may be contaminated due to the on-site and off-site historical land use/s. In our previous response dated 3rd July 2024, we reviewed a Phase I Environmental Assessment by Wardell Armstrong (December 2008, SD08-018) in support of the application. We did not accept the report, and we requested an updated Phase I assessment report.

Since then, a Geoenvironmental Preliminary Risk Assessment by Wardell Armstrong (July 2025, RPT-001 V1.0) has been received in support of the application. The report includes geotechnical information, which is outside the remit of Environmental Health. This consultation response only relates to the land contamination aspects of the report.

The preliminary risk assessment updates the previous assessment and reflects the current condition of the site. A walkover was undertaken in July 2025 and described the removal of the filter beds and the removal of the filter media. However, remnants of the crushed material and filter media have been retained on site.

Section 7 of the report identifies several potential on-site and off-site sources of contamination, with plausible pollutant linkages outlined in Section 7.5. The conceptual site model is presented in Table 8.1.

Wardell Armstrong conclude that there is a low to moderate risk of contamination arising from both historical and current on-site and off-site uses. They recommend an intrusive site investigation to further assess the underlying ground conditions and potential contamination. This should include soil sampling and chemical analysis, as well as the installation of ground and groundwater monitoring wells.

We accept the findings of the report and recommend the following contaminated land conditions, which relate solely to contaminated land matters.

Recommended Conditions

NB: contaminated land only.

CLC2 Submission of a Phase 2 Intrusive Site Investigation Report – Condition

No groundworks (other than those required for a site investigation report) shall not commence until a 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. 196 and 197 of the National Planning Policy Framework

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. 196 and 197 of the National Planning Policy Framework

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 unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report 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. 196 and 197 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. 196 and 197 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.