Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2023/92597 Second response for John Shaw and Son Ltd, Canker Lane Garage, Leeds Road, Huddersfield, HD2 1XT		
Change of use from B2 to Class E, Conversion of existing car garage to retail unit		
Responding Date: **24th November 2023**	**Responding Officer:** **SR**	**Responding Ref:** **WK202336982**

Comments

Since our comments dated the 3rd of November 2023 the applicant has submitted an updated design and access statement by 93 Architects, dated November 2023, rev P2.

Contaminated Land

In our earlier response we had concerns and recommended conditions. The revised design and access statement by 93 Architects, dated November 2023, rev P2, informs the following:

3. Land Contamination
3.1. The 3no fuel pumps on the site present a risk of land contamination. As mentioned above, the landlord is currently in the process of removing the pumps and remediating the associated tanks. Certification will be provided on completion to demonstrate the risk of contamination to future site uses has been eliminated. Please refer to JWH Tanks information- Appendix A
93ft Ltd 5 / 7
3.2. The proposals do not include breaking the ground or digging of building foundations.

The Appendix A has not been included with the revised document, regardless of this point we are of the opinion that fuel tank removal presents a clear contamination risk.
The revised information also does not address the potential contamination legacy at the site (The site of the proposed development has been identified as being on land that is potentially contaminated due to its former use (our site ref:49/10) and being close to former landfill (our site ref:45/10).)
Therefore, contaminated land conditions are required.

Recommendations

The conditions in our earlier response must remain.