

Consultation Response from: KC Environmental Health (Pollution & Noise Control)

2024/90272 - Penistone Road/, Rowley Lane, Fenay Bridge, Huddersfield, HD8 0JS

Discharge conditions 17 and 18 (Geo-environmental Ground Investigation, phase 1 and 2) on previous permission 2020/92307 for outline application, including the consideration of access, for erection of residential development (up to 75 units)

Date Responded:
25th March 2024

Responding Officer:
NH

Responding Ref:
WK/202404490

Condition 17 - Preliminary Risk Assessment (Phase I Desk Study Report)

A Phase 1 Geo-environmental Assessment authored by ECUS Ltd, in March 2021 (ref: 14699-P1 Revision 2) referenced in the supporting Phase 2 document for the current application, was not provided with the current application but was submitted in support of the outline application 2020/92307. 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.

Having reviewed the revised Phase 1 report alongside the Geo-environmental Ground Investigation Report authored by Haigh Huddleston & Associates in January 2024 (ref: E23/8060/R001), we are able to accept the Phase 1 report and recommend that Condition 17 is discharged.

Condition 18 - Phase II Intrusive Site Investigation Report

A Geo-environmental Ground Investigation Report authored by Haigh Huddleston & Associates in January 2024 (ref: E23/8060/R001) has been received in support of the application to discharge Condition 18. 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.

The report details the findings from the recent investigation by Haigh Huddleston & Associates (HHA) that included trial pits and rotary boreholes conducted in December 2023. Soil samples collected during these investigations underwent chemical analysis, revealing marginally elevated levels of arsenic (39mg/kg) compared to the assessment value of 37mg/kg. Several samples also contaminated elevated levels of dibenzo(a,h)anthracene (0.3-0.5 mg/kg). The report states that the site has remained undeveloped since 1854 and HHA considered this to be natural levels representative of the area. No asbestos was recorded in the samples taken from site. No other contaminants exceeded trigger levels, and HHA consider there to be a low/negligible risk to end users from localised ground contamination on-site.

Gas monitoring from five boreholes visited on two occasions showed no methane and a peak carbon dioxide level of 2.1% v/v. The minimum oxygen concentration recorded was 18.2% v/v and no flow was detected. HHA consider the site to currently be classified as a Characteristic Situation Level 1 site in accordance with BS8485. This suggests minimal risk from ground gas migration. However, additional ground gas monitoring visits are necessary and are recommended in the report. Groundwater was encountered at depths of 0.8-2.6m in five trial pits, with no groundwater strikes recorded in the borehole investigation.

Comments

We have read the report provided. The assessment of the risk associated with dibenzo(a,h)anthracene in the soil samples collected from TP101, TP104, and TP105, where elevated levels were observed compared to the chosen assessment criteria value of 0.24 mg/kg, lacks clarity in the report. Although the report suggests a topsoil strip, it does not provide detailed remediation options or specific recommendations regarding the elevated dibenzo(a,h) anthracene levels found in the clay strata at TP104. This was nearly double the assessment criteria value (0.50 mg/kg). Further commentary and clarification are necessary to address this point, especially considering its presence in both topsoil and clay layers.

In addition, we cannot consider the site characterisation complete, as additional ground gas monitoring is recommended in the report which we support. We expect this information to be provided in support of the application to discharge Condition 18.

For these reasons we do not accept the Geo-environmental Ground Investigation Report authored by Haigh Huddleston & Associates in January 2024 (ref: E23/8060/R001). We require additional commentary on the proven dibenzo(a,h)anthracene contamination and the ground gas regime before we are able to provide additional comments. We recommend that Condition 18 remain.

Recommendations

Condition 17 - Preliminary Risk Assessment (Phase I Desk Study Report)

We accept the Phase 1 Geo-environmental Assessment authored by ECUS Ltd, in March 2021 (ref: 14699-P1 Revision 2), and Condition 17 should be discharged.

Condition 18 - Phase II Intrusive Site Investigation Report

We do not accept the Geo-environmental Ground Investigation Report authored by Haigh Huddleston & Associates in January 2024 (ref: E23/8060/R001). We require additional commentary on the proven dibenzo(a,h)anthracene contamination and the ground gas regime before we are able to provide additional comments. We recommend that Condition 18 remain.