

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2024/91476 - Clough Farm, Long Lane, Earlsheaton, Dewsbury, WF12 8LQ		
Erection of 24 dwellings		
Date Responded: 22nd August 2024	Responding Officer: NH	Responding Ref: WK/202424568
Contaminated Land Further to our previous response, the applicant has now provided a Geoenvironmental Appraisal by Lithos Consulting dated June 2020 (ref: 2986/1B). The report has previously been reviewed and accepted as part of another application. We accept the document in support of the current application. A Remediation Strategy authored by Lithos dated May 2024 (ref: 2986/2A) has been received in support of the application. The reports includes geo-technical 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 indicates that investigations found the natural and made ground topsoil, as well as the ash and clinker beneath the site, to be contaminated with various inorganic and organic substances, rendering them unsuitable for use in gardens or landscaped areas. Additionally, the ash and clinker were classified as potentially combustible. Remediation proposals have been provided. We generally support the proposals. However, we do not support the re-use of subsoils at this site without additional testing. However, we understand a materials management report is to be issued in due course. Therefore, we are now able to revise our recommendations. <u>Recommended Conditions</u> NB: Please note these recommendations refer to contaminated land matters only. CLC4 Implementation of the Remediation Strategy - Condition Remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy authored by Lithos dated May 2024 (ref: 2986/2A). 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. 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. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be 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

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.