

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

**2024/93041 - The Old Tannery, 224, Spen Lane, Gomersal, BD19 4PJ**

**Discharge of details reserved by condition 11 (validation report) on previous permission 2021/92255 for erection of 5 dwellings with associated access and demolition of existing extensions to commercial building**

**Date Responded:**  
**20<sup>th</sup> November 2024**

**Responding Officer:**  
**NH**

**Responding Ref:**  
**WK/202434414**

**Condition 11 – Validation Report**

A Validation Report authored by RGS (1<sup>st</sup> October 2024, ref: C3920/24/E/5955) has been received in support of application to discharge Condition 11. The report does not appear to describe remedial measures that are in accordance with the agreed remediation strategy. Therefore, we do not accept it as supporting documentation for the application to discharge Condition 11. Further information is provided below:

- We request the imported material certificates and testing information to verify the source of the material.
- Exceedances were found in every sample analysed. These were apparently from a greenfield source. We require further commentary on the observed exceedances.
- The agreed clean cover system specifies either 450mm of clean subsoil and 150mm of clean topsoil for garden areas, or 150mm of subsoil and 150mm of topsoil for public open spaces. The remediation strategy also stated that made ground should be removed to reach natural ground where the made ground is less than 300mm and 600mm. This requirement does not appear to have been met in all locations. Further clarification on this point is necessary.
- The agreed clean cover system included a geotextile membrane. However, no membrane is reported in the trial pit logs or evidenced in the photographs. Further clarification on this point is necessary.

For these reasons, we recommend that Condition 11 remain in place until further notice.

**Recommendations**

**Condition 11 – Validation Report**

We do not accept the Validation Report authored by RGS (1<sup>st</sup> October 2024, ref: C3920/24/E/5955) and recommend that Condition 11 remain until further notice.