

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2024/93094 - The Willows, Hallas Road, Kirkburton, Huddersfield, HD8 0QG

Discharge of details reserved by conditions 4 (materials), 5 (boundary treatments), 6 (Phase I Desk Study Report), 7 (Phase II Intrusive Site Investigation), 8 and 9 (Remediation Strategy), 10 (Verification Report), 14 (Tree works) on previous permission 2023/92346 for erection of dwelling and associated alterations

Date Responded:
18th November 2024
Responding Officer:
NH
Responding Ref:
WK/202435576

Conditions 4, 5 and 14 are outside the remit of Environmental Health.

Condition 6 – Phase I Desk Study Report

A Geo-environmental Ground Investigation Report (August 2023, ref: E23/8073/R001), authored by Haigh Huddleston & Associates, has been submitted in support of the application to discharge Condition 6. This combined Phase 1 and Phase 2 report includes geotechnical information, which is outside the scope of Environmental Health. Therefore, this consultation response focuses solely on the land contamination aspects of the report.

The report appraises the site history and surrounding land uses since the 1800s and provides an assessment of the environmental setting. It identifies potentially contaminative land uses on the site, which may pose risks to both the development. Notably, the proposed development area is located over a historical quarry, as shown on the 1892 plan, and there are no records regarding the materials used as infill. Potential contamination sources identified include made ground, infill material from the quarry, and ground gas migration from the infill.

We accept the preliminary risk assessment presented in the report and recommend that Condition 6 be discharged.

Condition 7 – Phase II Intrusive Site Investigation

A Geo-environmental Ground Investigation Report (August 2023, ref: E23/8073/R001) and Gas Monitoring Letter (March 2024, ref: E23/8073/JF/001) authored by Haigh Huddleston & Associates, has been received in support of the application to discharge Condition 7. The report includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspect of the report.

The first report describes the findings of the ground investigation, conducted in Summer 2023, that involved excavating trial pits and drilling boreholes to assess the site conditions. In brief, the investigation revealed shallow topsoil over ashy clay and other fill materials, extending to 7.8m deep. Elevated levels of lead and arsenic were detected in certain samples analysed, exceeding Tier 1 trigger levels. High calorific values (>10MJ/kg) in the ashy fill material was also reported, indicating a combustion risk. A moderate risk to end users was assigned, and the report recommended the application of 1m of clean cover. Haigh Huddleston & Associates also recommended additional testing of the stoney clay fill for reuse as subsoil in the capping layer.

Alongside the Phase 2 report, the ground gas letter detailed the findings of the gas monitoring undertaken. Gas monitoring was conducted on three boreholes over six rounds between 26th July and 17th November 2023 within a barometric pressure range of 996mb to 1001mb. During the final visit, BH02 and BH03 were inaccessible due to damage. The monitoring did not detect any methane. Carbon dioxide levels ranged from 0 to 0.6% v/v and oxygen levels between 19.9% and 21.0% v/v. No flow rates were recorded. The calculated gas screening value for carbon dioxide was 0.0006 l/h. Consequently, the report concludes that no gas protection measures are necessary for the development.

We accept generally the reports Geo-environmental Ground Investigation Report (August 2023, ref: E23/8073/R001) and Gas Monitoring Letter (March 2024, ref: E23/8073/JF/001). However, require justification for the number of samples taken. As the report has recommended additional sampling, this can be dealt with under the remediation strategy condition. Therefore, we recommend that Condition 7 is discharged.

Condition 8 – Remediation Strategy

A standalone remediation strategy has not been provided to discharge Condition 8. A full remediation strategy is required. This must include the results of the further sampling of the subsoils as referenced in the Geo-environmental Ground Investigation Report (August 2023, ref: E23/8073/R001). Additionally, we request justification for the number of samples taken during the investigation to demonstrate compliance with good practice guidance and ensure adequate testing of all soil depths. For these reasons, Condition 8 should remain in place until further notice.

Condition 9 – Remediation

Condition 9 requires remediation to be carried out in accordance with an approved Remediation Strategy under Condition 8. As no remediation strategy has yet been approved (as per Condition 8), this condition cannot be discharged at this time. Furthermore, Condition 9 also relates to unexpected contamination. For these reasons, Condition 9 must remain in place until the development is complete.

Condition 10 – Verification Report

Condition 10 requires the submission of a Verification Report following the completion of any remediation measures identified in the approved Remediation Strategy or any approved revised strategy. No verification report has been received. Therefore Condition 10 should remain until further notice.

Recommendations

Condition 6 – Phase I Desk Study Report

We accept the preliminary risk assessment provided in the Geo-environmental Ground Investigation Report (August 2023, ref: E23/8073/R001), presented in the report and recommend that Condition 6 be discharged.

Condition 7 – Phase II Intrusive Site Investigation

We accept generally the reports Geo-environmental Ground Investigation Report (August 2023, ref: E23/8073/R001) and Gas Monitoring Letter (March 2024, ref: E23/8073/JF/001). However, require justification for the number of samples taken. As the report has recommended additional sampling, this can be dealt with under the remediation strategy condition. Therefore, we recommend that Condition 7 is discharged.

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A standalone remediation strategy has not been provided to discharge Condition 8. Therefore Condition 8 should remain until further notice.

Condition 9 – Remediation

Condition 9 requires remediation to be carried out in accordance with an approved Remediation Strategy under Condition 8. As no remediation strategy has yet been approved (as per Condition 8), this condition cannot be discharged at this time. Furthermore, Condition 9 also relates to unexpected contamination. For these reasons, Condition 9 must remain in place until the development is complete.

Condition 10 – Verification Report

Condition 10 requires the submission of a Verification Report following the completion of any remediation measures identified in the approved Remediation Strategy or any approved revised strategy. No verification report has been received. Therefore Condition 10 should remain until further notice.