

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

**2024/93367 land off Wood Lane, Colnebridge, Huddersfield, HD5 0PX**

**Prior notification for change of use from agricultural buildings to 3 dwellings**

**Responding Date:**  
**30<sup>th</sup> January 2025**

**Responding Officer:**  
**SR**

**Responding Ref:**  
**WK202501282**

**Comments**

This response relates to updated contaminated land information only please see our earlier response dated the 6<sup>th</sup> of December 2024, for other recommendations.

In support of the application the following documents have been submitted:  
 Phase One Desk Study and Coal Mining Risk Assessment, authored by Rogers Geotechnical Services Ltd dated November 2023 (ref: C3637/23/E/5509)  
 Groundsure Screening Report  
 Phase 2 Geo-Environmental Report ref:C3637/23/E/5969\_Rev1, dated 24/04/24  
 A Coal Authority Coal Mining Report ref: 81008010451001 Date: 2 May 2024

These documents include geotechnical information which is outside the remit of Environmental Health. This response focuses solely on the land contamination aspects of the reports. All the reports appear to have been authored in support the original application for a single property on the site.

**Preliminary Risk Assessment**

A Phase One Desk Study and Coal Mining Risk Assessment, authored by Rogers Geotechnical Services Ltd dated November 2023 (ref: C3637/23/E/5509) has been received in support of the application, we have reviewed the report.

A site walkover was conducted on the 19th of October 2023, the site comprises a plot of land currently occupied by a disused agricultural barn of corrugated tin construction, with grass and gravel hardstanding providing surface cover to the external areas. During the site walkover, no visible signs of contamination were observed. A railway to the north of the site runs from the southeast to the northwest. The historical land use of the site and within a 250-metre radius has been presented and reviewed since 1854.  
 The conceptual site model identifies several potential pollutant linkages. There are risks associated with shallow coal workings and the potential presence of mine gases and risks with onsite construction history/ made ground which necessitate further investigation and gas monitoring.

We accept the report.

**Phase 2 Intrusive Investigation**

A Phase 2 Geo-environmental Investigation authored by Rogers Geotechnical Services Ltd dated 24/4/2024 (ref; C3637/23/E/5969\_Rev1) has been received in support of the application, we have reviewed the report.

The document received includes geotechnical information which is outside the remit of Environmental Health. This response focuses solely on the land contamination aspects of the report.

The report describes the findings from fieldworks undertaken in January 2024. These included three windowless boreholes, standpipes for gas and groundwater monitoring, and the retrieval of soils for laboratory analysis and screening. The fieldwork revealed strata conditions of topsoil followed by made ground. The laboratory analysis and screening confirmed soil contamination with benzo(a)pyrene at position WS01 and heavy metal contamination in area WS03.

Gas monitoring over six visits showed peak methane at 0.2% v/v, peak carbon dioxide at 4.7% v/v, minimum oxygen at 16.9% v/v, and atmospheric pressure between 969 - 1027 mb. RGS have classified as Characteristic Situation Level 1.

The conceptual site model in Table 10 of the report rates risks from non-applicable to high for several potential pollutant linkages, indicating the need for remediation.

We accept the report.

### **Remediation Proposals**

The overall scheme has altered since the initial reports were authored. Due to this we recommend conditions for contaminated land in regard to remediation strategy, unexpected contamination, imported materials and validation.

### **Recommended Conditions**

#### **CLC3 Submission of Remediation Strategy - Condition**

Where site remediation is recommended in an accepted Phase II Intrusive Site Investigation Report, groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 197 of the National Planning Policy Framework

#### **CLC4 Implementation of the Remediation Strategy - Condition**

Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (CLC3). 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 197 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 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.

**Reason:** To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 197 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.