Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2025/90001 - Dry Hill Farm, Dry Hill Lane, Denby Dale, Huddersfield, HD8 8YN		
Erection of detached dwelling, formation of new access from Dry Hill Lane and associated hard and soft landscaping		
Date Responded: **30th January 2025**	**Responding Officer:** **NH**	**Responding Ref:** **WK/202501033**

Contaminated Land

Our records indicate the proposed development site is within 250m of a potentially contaminated land (site reference 73/23) due to its former use as a quarry, and previous farming operations at the proposed site may have also led to some contamination being present at the site.

In support of the application, a Coal Mining Risk Assessment by Haigh Huddleston & Associates dated 28th April 2015 (ref: EF15/6398/MD/001) has been received. The report 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 details that the proposed development site is in an area where the Coal Authority believe there is coal at or close to the surface, that may have been worked at some time in the past. Consequently, the report recommends an intrusive investigation to examine the geology further.

In conclusion, we accept the report provided and taking into consideration the previous land uses and nearby potentially contaminated land, we consider that the potential risks from contaminated land, including ground gases and combustible materials must be established. For these reasons, contaminated land conditions are necessary.

Noise

The proposed development plans to introduce new sensitive receptors to the site. The site is close to a dairy, noise from which is likely to have the potential to cause an adverse impact on residential amenity of the proposed development. For that reason, conditions relating to noise are required. Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, for this reason a condition is also necessary to limit the hours of operation for the site

Electric Vehicle Charging Points

We note that parking is proposed at this development. We would encourage any electric vehicle charging points installed as part of this development to meet the requirements of the Air Quality & Emissions Technical Planning Guidance from the West Yorkshire Low Emissions Strategy Group. The applicant should note the information in the recommended Electric Vehicle Charging Points Footnote.

Wholesome Water Supply

It is unclear from the information provided if mains water is available to the property. Drinking water must comply with drinking water quality standards so as not to constitute a potential danger to human health, and it must be acceptable to consumers in appearance, odour and taste. The planner must satisfy themselves that a wholesome water supply is provided before determination.

If the proposed dwelling is to be served by a private water supply, which is part of the supply to the wider farm it will require testing and inspection to ensure its fitness for use. Should this be the case we would advise you contact watersampling@kirklees.gov.uk

Recommended Conditions

CLC1 Submission of a Phase 1 Preliminary Risk Assessment Report - Condition
Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been 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. 196 and 197 of the National Planning Policy Framework

CLC2 Submission of a Phase 2 Intrusive Site Investigation Report - Condition
Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (CLC1) groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been 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. 196 and 197 of the National Planning Policy Framework

CLC3 Submission of Remediation Strategy - Condition
Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2) further 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. 196 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. 196 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 (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.

Reason: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 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.