

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

2025/90090 - East Bierley Community Sports Association, Hunsworth Lane, East Bierley, BD4 6PU

Variation of conditions 2 (plans and specifications), 14 (remediation) and 22 (ground conditions) and deletion of condition 13 (remediation) of previous permission 2021/90357 for works to existing sports facilities – amendments to layout, removal of pre-commencement trigger from condition 22, and removal/variation of remediation requirements.

Date Responded:
7th March 2025

Responding Officer:
NH

Responding Ref:
WK/202505458

The application seeks permission to vary condition 2, 14, 22 and remove Condition 13.

Condition 22 is outside the remit of Environmental Health.

Condition 2 – Plans and Specifications (Variation of Condition)

We note the applicant seeks to vary Condition 2, and acknowledge the changes in pitch size. Environmental Health have no objections to the variation of condition 2.

Condition 13 – Remediation Strategy (Variation of Condition)

We understand the application is now to vary Condition 13. Further to our comments dated 10th February 2025, we have received additional information by email on 5th March 2025 in relation to the proposals at the site.

Regarding cut and fill activities, sub-structure arrangements for the pitches, the extent of the works at the existing pitch, and combustible materials, Soiltechnics have provided additional information. They confirmed that the contaminant levels at the site do not pose an unacceptable risk to end users, and no remedial works are necessary. However, we would advise an instruction to the contractor to ensure electric cables laid in non-combustible inert material.

We accept the information provided for Phase 1 of the site only as detailed in drawing EBCSA01A, together with the previously provided report by Soiltechnics (January 2023, STU-5725-G01 Rev B). However, additional information will be necessary to satisfy Condition 13 for the remaining phases of the development.

We recommend that the planning officer vary the condition wording to reflect our response to ensure safe development of the site.

Condition 14 – Remediation (Variation of Condition)

We note that the decision notice for the previous permission (2021/90357) included the following wording for Condition 14: *'This pre-commencement condition is necessary to ensure that contamination is identified and suitable remediation measures are agreed at an appropriate stage of the development process.'* The applicant seeks to vary the wording of Condition 14 by removing this pre-commencement aspect and instead beginning the condition with 'following commencement of work on site.'

Condition 14 requires the remediation of the site in accordance with the Remediation Strategy approved under Condition 13. As this condition also addresses unexpected contamination, it remains in place until the development is completed, and all contaminated land conditions have been satisfied.

We partially support the applicant's proposal to remove the pre-commencement wording (shown in italics above), but we do not accept the inclusion of "following commencement of work on site," as we believe this additional trigger is unnecessary if the pre-commencement wording is removed. The planning officer should ensure Condition 14 remains on any variation granted to ensure safe occupation of the site.

Recommendations

Condition 2 – Plans and Specifications (Variation of Condition)

No objection to the variation of Condition 2.

Condition 13 – Remediation Strategy (Deletion of Condition)

We accept the information provided for Phase 1 of the site only as detailed in drawing EBCSA01A, together with the previously provided report by Soiltechnics (January 2023, STU-5725-G01 Rev B). However, additional information will be necessary to satisfy Condition 13 for the remaining phases of the development.

We recommend that the planning officer vary the condition wording to reflect our response to ensure safe development of the site.

Condition 14 – Remediation (Variation of Condition)

The planning officer should refer to our response for detailed recommendations in relation to this condition.