

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2025/90450 - Land at, Blue Hills Farm, Whitehall Road West, Birkenshaw, BD11 2DU
Discharge of details reserved by condition 16 (Validation Report) of outline permission 2019/90527 for erection of up to 127 dwellings with details of access
Date Responded:
5th March 2026
Responding Officer:
NH
Responding Ref:
WK/202529986
Condition 16 – Validation Report

Further to our comments in March 2025 (responding reference WK/202505309), the following documents have been received in support of the application to discharge Condition 16:

1. Re: Condition 16 (Validation Report Planning Ref. 2019/90527) – Land at Blue Hills Farm, Whitehall Road West, Birkenshaw, Bradford, Kirklees, BD11 2DU by Arc Environmental Ltd (2nd July 2025, 24-054.02L).
2. Verification of Hazardous Ground Gas Protection Measures at Plots 22–24, 41–60 and 74–75, Blue Hills Farm, Birkenshaw, BD11 2DU by Arc Environmental Ltd (22nd July 2025, 24-116.05L).
3. Verification of Hazardous Ground Gas Protection Measures at Plots 63/64 & 71–73, Blue Hills Farm, Birkenshaw, BD11 2DU by Arc Environmental Ltd (21st October 2025, 24-116.06L).

The reports include geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspect of the reports. We have read the reports provided and make the following observations

The first report (2nd July 2025, 24-054.02L) responds to matters raised in our previous consultation, including the need to clarify whether a revised risk assessment or Conceptual Site Model was necessary, and to justify whether the number of validation samples taken was sufficient to demonstrate the replacement of clean material in Area B. Arc Environmental state that a revised Conceptual Site Model is not considered necessary. Regarding the sampling, Arc explain that four samples of the exposed natural clay, combined with a visual inspection at reduced levels, were deemed sufficient to validate that contaminated material had been removed, and note that the area was subsequently subject to further excavation to construct the sub-surface Carlow tank. PAH-impacted Made Ground identified around WS01 was excavated, stockpiled, and re-placed at depth (approximately 5–6 m below finished levels) around the tank excavation, in accordance with IFA recommendations. Arc inspected the tank excavation, advised on safe benching and battering, and confirm that reinstatement with approximately 2.5–3 m of site-won natural clay, to be topped with site-won topsoil, is appropriate. Arc consider the natural clay and topsoil suitable for reuse within Area B.

Reports 2 and 3 cover the verification of ground gas protection measures. The results of the hazardous ground gas risk assessment completed by Arc Environmental confirmed that gas protection measures equivalent to NHBC Amber 1 classification were required to mitigate potential risks to future site users. Arc report that validation works have been undertaken, comprising inspection of the construction and installation of the gas membranes. The second report (22nd July 2025, 24-116.05L) confirms the construction and installation of gas protection measures at Plots 22–24, 41–60 and 74–75. A minimum 150 mm sub-floor void has been formed beneath the block-and-beam floors, and a Rhinoplast Evolution gas barrier

membrane has been installed to an acceptable standard and passed inspection. The inspection dates were: Plots 22–24 on 15th May 2025; Plots 41–46 on 27th March 2025; Plots 47–52 on 12th June 2025; Plots 53–60 on 7th July 2025; and Plots 74–75 on 15th June 2025. Photographic evidence has been provided.

The third report (21st October 2025, 24-116.06L) confirms the same arrangement for Plots 63–64 and 71–73. Gas protection measures were installed to an acceptable standard and passed inspection. Plots 63–64 were inspected on 17th October 2025, and Plots 71–73 were inspected on 3rd October 2025. Photographs have been provided.

Recommendations

Condition 16 – Validation Report

Based on the professional judgement of the report authors and the evidence and interpretations presented, we have no objection to the discharge of the condition for the corresponding plots only, should the planning officer be minded to approve.

However, information submitted in support of Condition 16 must demonstrate that remediation and validation have been completed for the entire application site. As this has not yet been evidenced, we recommend that Condition 16 remains in place until further notice.