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

2025/90708 - Land at Merchant Fields Farm, off Hunsworth Lane, Cleckheaton

Discharge of details reserved by conditions 3 (Construction (Environmental) Management Plan), 6 (Temporary surface water management details), 8 (Proposed internal adoptable roads), 9 (Permanent site entrance details), 16 (Surface water attenuation details), 17 (Details of Swale/ditch management), 19 (Phase II Site Investigation details), 20 (Remediation Strategy), 25 (Noise Impact Assessment), 30 (Arboricultural Method Statement/ Tree Protection Plan), 34 (Biodiversity Gain Plan) of permission 2024/91260 for Variation of conditions 2 (plans and specifications) and 35 (removal of permitted development rights) on previous permission 2021/92801 for erection of 291 dwellings with associated works and access from Hunsworth Lane and Kilroyd Drive – revisions to house types, unit size mix and layout

Responding Date: 4th August 2025	**Responding Officer:** SR	**Responding Ref:** WK202522369

Comments

Condition 3 (Construction (Environmental) Management Plan)

Following our response dated the 14th Of May 2025 a Construction Environmental Management Plan by Harron Homes Revision 7 has been submitted. In our response we raised queries in relation to operating times, artificial lighting, noise and dust controls.

The revised CEMP has confirmed in section 6.0 that artificial lighting is to be minimal. The dust controls from the approved Air Quality Assessment have been included.

In relation to noise section 6.1.1 has identified the locations of nearby sensitive receptors and established a potential area where monitoring will be undertaken, the word temporary in relation to disturbance has been removed from the document.

We have concerns that the report has not been amended in relation to operating times. The applicant is reminded that Kirklees standard hours are: - No construction related noise shall be audible beyond the site boundary outside the hours of 07.30 to 18.30 hours Mondays to Fridays, 08.00 to 13.00 hours Saturdays. With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays.

The applicant is reminded that any noise producing construction activities outside standard operating times may result in formal action via Planning Enforcement. The Planning Officer must decide if the report requires further review on this matter before accepting the report.

Condition 20 - Remediation Strategy

In our previous responses date 14th May 2025 and the 3rd of July 2025, we reviewed and commented on a Remediation Method Statement by Vertase FLI (23/12/2021, 1874HAR RMS Rev A and B). We did not accept the documents.

A revised Remediation Method Statement by Vertase FLI, ref: 1874HAR RMS RevC has been submitted in support of the application to discharge Condition 20. 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 submitted revision C report has not clearly identified the new information; any subsequent information will not be reviewed unless new information is clearly identified. Section 4.1.1 summarises *"The Site is proposed for residential development and a risk to human health from metal contamination in shallow made ground beneath the far east of the site has been identified."* Adding "*The same material has also been identified as having potential for spontaneous combustion (due to the calorific values recorded during the Lithos site investigation) along with shallow coal at the site."*

It is our understanding that the revised remediation plan is summarised in Section 7 of the report, indicating the following:-
7.1.1 It is proposed that all soils that are not suitable for use within the top 600mm of gardens or 300mm of Public Open Space are excavated and placed beneath the area of POS in the east of the site.
7.1.2 Made ground deemed to pose a risk of spontaneous combustion will be excavated and placed beneath the area of Public Open Space with a minimum of 1m cover and away from proposed service corridors.
7.1.3 Coal/coal containing soils deemed to pose a risk of spontaneous combustion will be excavated and placed beneath a minimum of 1m cover and away from proposed service corridors.
7.1.4 All works will be supervised by suitably qualified persons who will make continual visual and olfactory assessment of soils and assessment for the presence of visible asbestos containing materials.

The applicant is reminded that any materials that pose a risk of spontaneous combustion must be placed beneath a minimum of 1m cover and away from proposed service corridors. We will expect robust evidence of this with any future verification report.

We are unable to find any detail in regard to the gas protection measures to properties within the remediation strategy.

The verification proposals in the report include several key measures to ensure the remediation works are completed to specification. These include recording topographic levels before and after the placement of capping layers in gardens and landscaped areas, supported by photographic evidence to demonstrate compliance. Vertase FLI advise that imported soils must be validated through chemical testing in accordance with YALPAG guidance, and haulage tickets must be retained to confirm their source and volume. Upon completion of the works, a Remediation Verification Report will be prepared, detailing all remediation activities, including any unexpected contamination, soil testing results, and confirmation that the remediation objectives have been achieved.

Recommendations
Condition 3 (Construction (Environmental) Management Plan)
The Planning Officer must decide if the report requires further review in regard to operating times, before accepting the report.

Condition 20
Due to lack of detail in relation to gas protection measures we are unable to recommend the

discharge of the condition at this time.