

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

**2025/91030 - adj, 14, Whinmore Gardens, Gomersal, Cleckheaton, BD19 4HG**

**Discharge of details reserved by Conditions 5. (phase 1 desk study) 6. (phase 2 site investigation) & 13. (arboricultural method statement) of permission 2024/93237 for Erection of detached dwelling**

**Date Responded:**  
**27<sup>th</sup> May 2025**

**Responding Officer:**  
**NH**

**Responding Ref:**  
**WK/202513831**

### **Condition 5 – Phase 1 Desk Study**

A Phase I Geoenvironmental Desk Study by Earth Environmental & Geotechnical (March 2025, M1179) has been received in support of Condition 5. 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 report includes an appraisal of the surrounding land use history and the environmental and geological site setting. Historical mapping revealed the site was undeveloped until the 1970s.

However, the surrounding area has a legacy of coal mining, chemical works, and infilled land, including former reservoirs and quarries. Notably, the Flockton Thick coal seam outcrops on the eastern boundary, and the Flockton Thin seam is inferred to underlie the site at shallow depth. A Coal Mining Risk Assessment confirmed the site lies within a Coal Authority Development High Risk Area, with probable shallow mine workings and potential for unrecorded mine entries.

A preliminary risk assessment has been included in the report and potential pollutant linkages have been identified including possible risks from contaminated land and ground gases. The overall risk to current and future site users has been assigned as moderate. Earth Environmental & Geotechnical conclude by recommending an intrusive ground investigation is undertaken to assess possible presence of shallow soil contamination at the site. An outline scope for the investigation has been included in the report and recommendations include rotary boreholes, trial pilling, Laboratory analysis of soil samples, The installation of ground gas monitoring pipes and monitoring over 6 visits and the production of a Phase 2 report.

We accept the report provided and recommend that Condition 5 is discharged.

### **Condition 6 – Phase 2 Site Investigation Report**

A Phase II Geoenvironmental Site Investigation by Earth Environmental & Geotechnical (March 2025, M1179/25) has been received in support of Condition 6. 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 Phase 2 report details the findings of the intrusive investigation undertaken by EEG between on 25th February and 9th March 2025. Two rotary boreholes were drilled to 25.0m bgl and two ground gas monitoring pipes were installed. Three trial pits were hand excavated to a maximum depth of 1.10m bgl. Soil samples (c.1.25kg) recovered from the site were sent for chemical testing.

The ground conditions encountered were generally made ground over clay. Laboratory testing found contaminant concentrations were found in exceedance of the screening criteria relevant to a residential end use. Asbestos fibres or fragments were not identified in any of the samples analysed. EEG conclude that no remediation of the soil is required for the proposed development

At the time the report was authored, two gas monitoring visits have been completed by EEG. Atmospheric pressure was recorded between 1012mb and 1021mb. The monitoring visit were conducted between the 11th March 2025 and 20th March 2025. The results recorded methane (CH<sub>4</sub>) level of between 0.2 % and 0.3 % (v/v) and carbon dioxide (CO<sub>2</sub>) levels of 0.2% to 0.5% v/v. Oxygen concentrations of between 19.8% to 20.3% v/v were also recorded. Gas flow rates were recorded between 0.01/hr and 0.02l/hr from the boreholes on site. EEG calculated the preliminary gas screening values for methane and carbon dioxide and have given the site can be given a Characteristic Situation 1 classification, based on the two visits. However, in Section 12.4, EEG acknowledge that however this is subject to change as a further four visits are planned.

No coal was encountered neither were broken ground or voids. However, EEG note that a dark brown carbonaceous mudstone was present between 7.80m and 12.00m bgl which correlates to the coal seams and suggest this maybe where the coal seam thins out.

We have read the report provided. We do not accept the report for the following reasons. These must be addressed either by a revised report, or an addendum:

1. We note that the gas monitoring is incomplete. We request additional monitoring results as discussed in the report.
2. The number of boreholes (2) does not appear to be in accordance with good practice guidance.
3. No atmospheric pressure trends have been reported in the document.
4. The report appears contradictory. In Section 8.2, the report suggests no asbestos was found 'Asbestos fibres or fragments were not identified in any of the samples analysed.' This is supported by the laboratory sheets provided. However, the report also reads 'It should be noted that asbestos was found in 2 No. samples and appropriate measures regarding this should be undertaken as a minimum an. Asbestos management plan, specialist asbestos supervision during any site works and an asbestos management plan should be sought for the site before any construction or groundbreaking activities.' This is contradictory and requires clarification.

### **Recommendations**

#### **Condition 5 – Phase 1 Desk Study**

We accept the Phase I Geoenvironmental Desk Study by Earth Environmental & Geotechnical (March 2025, M1179) and recommend that Condition 5 is discharged.

#### **Condition 6 – Phase 2 Site Investigation Report**

We do not accept the Phase II Geoenvironmental Site Investigation by Earth Environmental & Geotechnical (March 2025, M1179/25) as there are points that require clarification and/or

additional justification before we can reconsider the report for the discharge of Condition 6.  
For these reasons, Condition 6 should remain until further notice.