

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

2025/91184 land off Bretton Street, Savile Town, Dewsbury WF12 9BZ

Erection of two storey industrial unit (Use Class E(g)(iii)), with associated car park, service area and other associated works

Responding Date:
27th August 2025

Responding Officer:
SR

Responding Ref:
WK202524785

Comments

Environmental Health have been asked to provide comments on the submitted contaminated land phase 1 report by Ergo Environmental Limited, Report Ref: 25-2269-r0, Date Issued: March 2025, only. The planner is reminded the report contains geotechnical information which is beyond the remit of Environmental Health.

Contaminated Land

The submitted contaminated land phase 1 report by Ergo Environmental Limited, Report Ref: 25-2269-r0, Date Issued: March 2025. Our mapping indicates the site is not listed as potentially contaminated; however, it is in close proximity to identified sites and close to historic landfilling.

A site walkover (no date), has been undertaken and site photographs are presented within Appendix IV. The site is described as unmaintained grassland. A site scrape was noted adjacent to NGN infrastructure in the eastern site area with evidence of fly-tipped/windblown wastes.

The report reviews historical Ordnance Survey mapping from 1855 onwards, informing the site has been affected by the canal and a gas pipeline over time. Considerable development has occurred adjacent the site.

A summary of the Geological information informs: - Made ground, Alluvium - Clay, Silt, Sand & Gravel within the eastern site area with River Terrace Deposits - Sand & Gravel within the western site area. Bedrock Geology is shown to be Pennine Lower Coal Measures Formation - Sandstone, Mudstone & Coal.

The author has obtained a MRA Mining Report (Ref: 51003482379001) dated February 2025. The report author has consider all the information and determined a low risk to the proposed development from historic mining activities. No further assessment is considered to be required.

A preliminary conceptual site model (CSM), is presented in Section 7. It is concluded that an intrusive investigation is necessary to confirm the potential source-pathway-receptor linkages identified. We accept the report and recommend the following conditions.

Electric Vehicle Charging Points (EVCPs)

In an application of this nature, it is expected that facilities for charging electric vehicles and other ultra-low emission vehicles are provided in accordance with the National Planning Policy

Framework and *Air Quality & Emissions Technical Planning Guidance* from the West Yorkshire Low Emissions Strategy Group.

Noise

There are residential dwellings adjacent to the site across the canal, noise from the proposed development may impact the amenity of these dwellings, we therefore recommend a condition.

Recommended Conditions

CLC2 Submission of a Phase 2 Intrusive Site Investigation Report - Condition

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. 189 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. 189 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. 189 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. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be 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. 189 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.

EVC1 Electric Vehicle Charging Points – Condition

Before first occupation, parking spaces at the premises must meet the minimum requirements in the current West Yorkshire Low Emission Strategy (WYLES) document. (10% of parking spaces which may be phased with 5% initial provision and the remainder at an agreed trigger level, should be fitted with EVCP's). The approved facilities for charging electric vehicles must be installed before occupation and retained for use thereafter.

Reason: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, to comply with the aims and objectives of Policies LP20, LP24 and LP47 of the Kirklees Local Plan, Chapters 2, 9 and 15 of the National Planning Policy Framework and the West Yorkshire Low Emission Strategy (WYLES).

NC9 Noise Assessment Report and Mitigation Scheme - Condition

Before construction work commences a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development including industrial noise and vehicle movement shall be submitted to and approved in writing by the Local Planning Authority.

The report shall:

- a) Determine the existing noise climate
- b) Predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time) and other habitable rooms of the development
- c) Detail the proposed attenuation/design necessary to protect the amenity of the

occupants of the new residences (including ventilation if required).

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Reason: To protect the amenity of occupiers of the proposed development from noise or disturbance from nearby noise generating premises to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.