Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2025/92440 Lumb Lane Nurseries, Lumb Lane, Almondbury, Huddersfield, HD4 6SZ		
Erection of five dwellings		
Responding Date: **29th August 2025**	**Responding Officer:** **SR**	**Responding Ref:** **WK202529553**

Comments

Environmental Health have been consulted in relation to a Phase One Desk Study by Geo Investigate, dated August 2025, ref:G25267. The report contains geotechnical information, which is beyond the remit of Environmental Health, this response is in relation to contaminated land only.

Preliminary Risk Assessment

A site walkover was conducted on the 8th of August 2025; the site comprises a plot of land currently occupied by a disused plant nursery. Poly tunnels and glass houses are evident on site with storage/office buildings. During the site walkover, no visible signs of contamination were observed. The historical land use of the site has been presented and reviewed since 1888, the site itself has been used as an allotment site, had a nearby farm and mill.

The conceptual site model identifies several potential pollutant linkages. There are risks associated with made ground/allotment, boiler and associated fuel tank and nearby farm which necessitate further investigation.

At this stage it is considered that no significant potential sources of hazardous ground gases have been identified on, or in the vicinity of, the site. If the nature of any made ground encountered or shallow coal that may have been worked are observed we anticipate this will be reflected in any future CSM.

It is concluded that an intrusive investigation is necessary to confirm the potential source-pathway-receptor linkages identified, any intrusive report findings must consider offsite receptors. We accept the report and recommend the following conditions.

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.