

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2025/92674 - Land North of, Denby Lane, Grange Moor, Huddersfield, WF4 4BH

Discharge of details reserved by conditions 3 (finished floor levels), 4 (garage details) 7 (remediation strategy), 10 (CEMP), 11 (CEMP: Biodiversity), 12 (drainage), 13 (storm events), 14 (temporary surface water drainage), 15 (surface water attenuation), 16 (road condition survey), 17 (carbon emissions), 19 (materials), 24 (estate street phasing), 26 (waste plan), 29 (cycle parking), 31 (bin storage), 32 (electric car charging point), 33 (boundary treatments) and 34 (crime protection measures) of previous permission 2024/92444 for erection of 21 dwellings and associated works with means of access from Denby Lane

Date Responded:
Monday, 11 May 2026
Responding Officer:
HK
Responding Ref:
WK/202530395

Thank you for consulting Environmental Health on the above discharge of conditions on previous permission 2024/92444 for erection of 21 dwellings and associated works with means of access from Denby Lane.

Our comments are sought for Condition 7 Remediation Strategy and relate to this condition only.

Condition 7 States:

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.

COMMENTS

Environmental Health have outlined that the Remediation Strategy should include:

“We do not agree with the conclusions of the ground gas risk assessment. Due to the elevated carbon dioxide, depleted oxygen, the presence of hydrogen sulphide and known mineworking on site, we request that the applicant reconsider the risk assessment to revise the gas characterisation or, in the first instance provide additional monitoring in worst-case pressure events to support the conclusions of the ground gas assessment. Any revised assessment must consider all good practice guidance. To move forward, we expect this information to be included in a robust remediation strategy. We also expect to see the results of the additional soil testing suggested in the previous report”, in a response dated 20th December 2024.

The applicant submitted a Remedial Specification, Ref: GRO-24078-5847, dated 20th June 2025, prepared by Groundtech Consulting for the discharge of the above condition.

Environmental Health have previously commented on the Remedial Specification on the 5th December 2025, stating that:

“Section 6 of the Remedial Specification outlines the verification requirements, including enabling-phase validation, construction-phase validation, cover-system verification and gas-protection validation. Lastly, Section 7 provides procedures for the reuse of soils and management of imported materials...

The results of the bioaccessibility testing do not appear to have been provided, and therefore we cannot confirm the validity of the conclusions presented in the report regarding the reuse

of site-won topsoil or the revised arsenic screening value. Further information is therefore considered necessary before we can reconsider the discharge of the condition”.

It does not appear that any further information was subsequently provided as section 2.8 under the heading *Bio-accessibility Testing – Arsenic*, on page 9 of the Remedial Specification states:

“Previous bio-accessibility testing by Lithos Consulting have indicated that the GAC can be increased and the arsenic concentrations are not elevated. However, additional bio-accessibility testing is required”. And later again in the report on page 21, where it states:

“It is not anticipated that topsoil will be required to be imported following the results of the bio-accessibility testing”.

Has any further testing been undertaken, it is not clear, based on the wording of the report?

The submitted Remedial Specification references the Ground Gas Risk Assessment, Ref: GRO-24078-5293_1.2, and states that:

“Following liaison with Kirklees Council, the Permanent Ground Gas Risk Assessment has determined that the site is classified as lying within Characteristic Situation 2 (CS2) and gas protection measures are required”. Therefore, satisfying Environmental Health’s concerns raised in our response dated 20th December 2024, relating to ground gas classification and protection measures for the site.

The report confirmed the following:

Condition 7 requires a timetable for the implementation and completion of the remediation measures. This, however, has not been provided.

RECOMMENDATION

The submitted Remedial Specification, Ref: GRO-24078-5847, dated 20th June 2025, prepared by Groundtech Consulting is satisfactory in its remediation proposals, however the reuse of site won material cannot be approved without confirmation of the results of the bio accessibility testing, and a timetable for the implementation and completion of the remediation measures has not been provided, and these remain outstanding.

On submission of:

- the results of the bio accessibility testing, and
- a timetable for the implementation and completion of the remediation measures

condition 7 may be discharged. Until such time, condition 7 should remain.