

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2025/92886 - adjacent 13 Queen Street, Mirfield
Discharge of details reserved by conditions 5 (lighting), 6 (bird and bat box), 7 (electric recharging point), 8 (Remediation Strategy) on previous permission 2023/91383 for demolition of existing outbuilding and erection of two semi-detached dwellings
**Date Responded:
Monday, 02 March 2026**
**Responding Officer:
Hannah Kent**
**Responding Ref:
WK/202603283**

Thank you for re-consulting Environmental Health on the above discharge of details reserved by conditions 8 (Remediation Strategy).

Condition 8 states:

In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, 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. Groundworks in the affected area shall not recommence until either

(a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or

(b) the Local Planning Authority has confirmed in writing that remediation measures are not required.

The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, no part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

The applicant has submitted the following in support of the discharge of the above condition:

- Phase II Geo-environmental Report Ref: C5162/25/E/7951, dated November 2025, prepared by RGS Ltd.
- Phase III Remediation Strategy Report Ref: C5162/25/E/8787_Rev1, dated 4th February 2026.

COMMENTS

Environmental Health has previously been consulted on the discharge of condition 8, and responded stating that:

Condition 8 of application 2023/91383, requires work on site to cease, should unexpected contamination be identified on site. We are unable to find the site investigation report (geo-environmental report (C5162/25/7951, November 2025)), referenced within the remediation strategy. Without information on the contamination encountered we are unable to assess the accuracy of the remediation strategy provided.

The Phase II Geo-environmental Report Ref: C5162/25/E/7951, dated November 2025, prepared by RGS Ltd has now been provided. However, this report states that:

A Phase 1 Desk Study has been undertaken by Rogers Geotechnical Services (RGS) and the results were presented as report number C5162/25/E/7886 in April 2025. This report has been used extensively during the current intrusive investigation.

This report has not been provided alongside the Phase II report, and we are therefore unable to refer to the relevant information contained within the Phase I report – which will have identified the sites history and determined the requirements of the Phase II intrusive investigation. We are unable to evaluate the Phase II assessment without the information it is based upon contained within the Phase I Desk Study Report Ref:C5162/25/E/7886 dated April 2025, by Rogers Geotechnical Services (RGS).

For clarity: all reports referenced within contaminated land assessment reports must be presented for review so that all the necessary information is available. We cannot review any reports in isolation of the originating documentation, and therefore we must request that the Phase I Desk Study Report Ref:C5162/25/E/7886 dated April 2025, by Rogers Geotechnical Services (RGS) is provided, along with any other relevant/accompanying information.

Condition 8 must therefore remain.

RECOMMENDATION

Environmental Health are unable to support the discharge of condition 8 for the reasons outlined.