

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

2025/93210 Land Adj, 178, Deighton Road, Deighton, Huddersfield, HD2 1JJ

Erection of one detached dwelling

Date Responded:
Friday, 23 January 2026

Responding Officer:
Hannah Kent

Responding Ref:
WK/202601458

Thank you for consulting Environmental Health on the above application.

The applicant has submitted the following documents in support of the application:

1. Phase 1 Desk Study, Job no. 1299, Build Vision Ltd, August 2021
2. Geological & Mining Appraisal, Report no. NE4118, Sub Surface, November 2021
3. Ground Investigation Report, Report no. NE4118A, Sub Surface, October 2022
4. Remediation Statement, Report no. NE4118C, Sub Surface, May 2023
5. Climate Change Statement

Environmental Health have previously been consulted on this application and provided a consultation response on the 12th December 2025, Ref. WK202539474 that:

“We have been asked to comment on the application because a contaminated land, intrusive investigation report has been submitted in support of the application. Whilst we do not object to the application, we cannot review this document in isolation without the submission of a preliminary risk assessment and any coal risk assessments or coal mining reports”.

It appears that these reports have now been submitted, and further to our previous comments, we respond as follows:

CONSIDERATION & COMMENTS

Contaminated Land

The Phase 1 Desk Study, Job no. 1299, presents the historical uses of the site and its surroundings dating from 1854 to the present day. The site was occupied by buildings from this time (1854), and has continued to be utilised by residential dwellings, yards & outbuildings and garages.

The Phase 1 Desk Study confirmed that:

- *Historical maps indicate that the site was occupied by a row of terraced houses, yards and outbuildings prior to three garages occupying the east half of the site and then a garage occupying the northwest corner of the site and the site may have been regraded and filled and therefore made ground deposits may be present beneath the site as general fill and demolition fill.*
- *There is no evidence of any significant contamination on the site.*
- *There did not appear to be any asbestos containing materials present on the site but garages were often constructed from or lined with asbestos containing materials and*

an asbestos specialist should be consulted to determine if there are any present and for their safe removal if required.

- *Potential contaminants associated with general fill and demolition fill associated with the former terraced houses, outbuildings, domestic garages and regrading of the site that may be present beneath the site are asbestos, heavy metals, polyaromatic hydrocarbons (PAH's) and Total Petroleum Hydrocarbons (TPH's).*
- *The general fill and demolition fill associated with these are unlikely to be significant potential sources of landfill gases.*

The Phase 1 Desk Study concluded that:

- *The desk study should be submitted to the local authority for comment/approval.*
- *The recommended detailed coal mining risk assessment should be carried out.*
- *The recommended watching brief and intrusive investigation should be carried out.*

Environmental Health are not aware that the Phase 1 Desk Study was submitted until now, however, further intrusive investigations were undertaken and the results submitted as the Ground Investigation Report, Report: NE4118A.

Geological & Mining Appraisal, Report no. NE4118 confirmed the possibility that there are shallow coal seams beneath the site which if worked could give rise to surface instability.

The Ground Investigation Report no. NE4118A undertook an intrusive site investigation consisting of six mini boreholes (to depths of between 1.45 and 4.45 metres), 3 rotary boreholes (to depths of between 12.00 and 30.00 metres), and 4 hand dug trial pits (excavated to depths of between 0.10 - 0.30 metres).

Intrusive site investigations confirmed the presence of made ground across the site at varying depths and confirmed that contamination is present on the site:

“based on five soil samples, indicates elevated levels of arsenic and lead are present in the near surface Made Ground/ soils (source). In addition, asbestos bound cement is present in rubble on the surface of the site”.

The contamination assessment comprised five soil samples however no details are given to justify the chosen locations/depths of the samples taken. The intrusive investigation should link the soil sampling to previous site usage (justify why sampling was undertaken at particular locations), this was not included in the Phase II report. The intrusive investigation has

It appears that the five soil samples were taken from the hand dug trial pits and some of the mini boreholes, however without further details clarifying why these sample locations were chosen (linked to potential sources of contamination), Environmental Health cannot be satisfied that the investigation was sufficiently comprehensive.

- Further details are required to justify / link back to the sites history, potential sources of contaminants and where sampling was required to confirm whether contaminants associated with past site use are present, or absent.
- The location of sampling should also be linked with the proposed use – it appears that the submitted contaminated land assessments were undertaken for a previous planning application as the submitted plans do not include the workshop within the site

layout. If the site layout has changed, all the contaminated land assessments will require updating with the most recent changes to the site layout.

- The Phase II report did not provide a refined conceptual site model based on the findings of the intrusive site investigations.

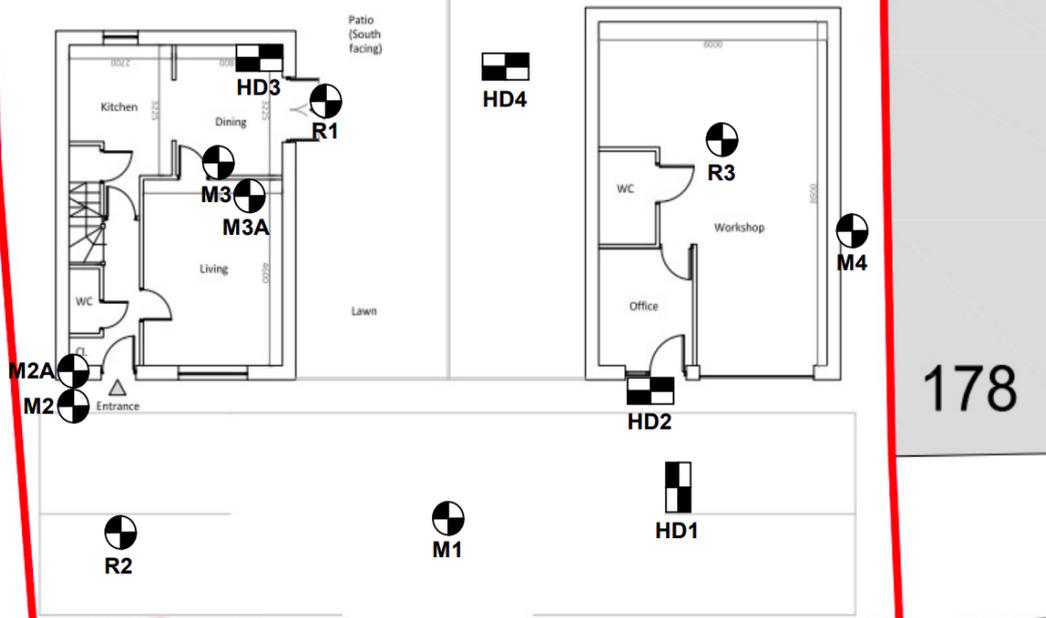
This above information will be necessary in order to accept the contaminated land assessment reports for the purposes of this current application, and in order to provide a detailed remediation strategy.

Remediation Statement, Report no. NE4118C provides further detail of the intrusive sampling regime undertaken during the Phase II site investigation work. The information presented in section 2.2.3 identifies that made ground was present not only in the shallow samples detailed in the contamination assessment of the Phase II report, but also at depth recovered from the mini and rotary boreholes. It is not clear if any of these samples were tested for the presence of contaminants.

Environmental Health is not satisfied with the Phase II contamination assessment for the reasons outlined above. A Remediation Strategy cannot be considered until a satisfactory a Phase 2 Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Noise

The additional supporting information provided within the Phase II assessment identifies that the application for erection of one detached dwelling also includes a large workshop. It is not entirely clear if this still applies (as the workshop is not included in the submitted plans).



Details in relation to the purposes of the workshop have not been provided. Noise (and potentially odours/fumes/dusts), from activities associated with workshops, or any fixed plant

and equipment has the potential to result in noise and/or odour/fumes/dust impacts to nearby sensitive receptors.

Further information is required if the workshop is still included to enable Environmental Health to provide an informed and detailed response.

Recommended Conditions

In addition to our previous recommendations, should the proposed development include a workshop, we would recommend a condition to ensure noise does not impact the neighbouring sensitive receptors in the vicinity.

NC8 Noise Report required for proposed noise generating use close to existing noise sensitive premises - Condition

Before construction work commences, a noise assessment report by a suitably competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- a) an assessment of all noise emissions from the proposed development (to include times and days of the week)
- b) details of existing background and predicted future noise levels at the boundary of the nearest noise sensitive premises (the proposed residential dwelling and 178 Deighton Road)
- c) a written scheme of how the occupants of the above-mentioned noise sensitive premises will be protected from noise from the proposed development including details of all necessary noise attenuation

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such measures shall be thereafter retained.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

NF4 Competent Person - Footnote

All Noise Assessments should be carried out by a competent person. The applicant may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/> (020 8253 4518) or the Institute of Acoustics <http://www.ioa.org.uk> (0300 999 9675) for a list of members.

It may be necessary to include a condition to control odours/fumes/dusts.