

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

2025/93480 - Land off Parkwood Road/Weavers Lane, Longwood, HD3 4TT

Erection of 28 dwellings with associated landscaping and external works

Date Responded:
Wednesday, 29 April 2026

Responding Officer:
HK

Responding Ref:
WK/202609155

Thank you for consulting Environmental Health on the above application for the erection of 28 dwellings and associated works.

Observations & Comments

Environmental Health have previously responded on the 11th of February 2026 but were unable to consider the contaminated land information without a complete set of the contaminated land reports to date. Our previous comments and recommendations remain relevant. The response that follows relates solely to contaminated land issues at the site.

Contaminated Land

The applicant has now submitted the following contaminated land reports in support of this application:

- Phase 1: Desk Study Report, Ref: S190321, dated March 2019, authored by Solmek
- Phase 2: Site Investigation Report, Ref: S190321, dated April 2019 authored by Solmek.
- Ground Gas Risk Assessment Report, Ref: S190321/GAS, dated 26th August 2019, prepared by Solmek.

The Phase 1 assessment confirms the site to have been undeveloped agricultural land until a tennis court was constructed in the 1960's. However, the site is bordered by developments such as historical mills, dye works, and residential dwellings, and further afield landfill and regulated industries. The Preliminary Conceptual Site Model was produced and the report confirmed that:

- *"In view of the current and future site use, chemical contamination testing is considered necessary"*
- *"a ground gas assessment is considered necessary for the site to observe standing groundwater levels and to allow measurements to be made of hazardous gases and/or contamination levels in groundwater. Monitoring should be undertaken following site works on a minimum of six occasions over three months".*
- *"A Phase 2 Site Investigation should be undertaken to verify the assumptions made in the Preliminary Conceptual Site Model and to provide data for foundation design".*

The Phase 2 intrusive investigation was undertaken on the 4th April 2019. The ground conditions encountered on site were confirmed as:

"Made ground was relatively uniform across the site and was encountered to a minimum depth of 0.15mbgl (TP3) and a maximum depth of 0.50mbgl (BH1, BH3 & BH4). The made ground broadly consisted of sandy gravelly topsoil with the gravel comprising sandstone. Within BH3 and TP2, the made ground comprised black sandy gravel of brick, ash, tarmacadam and clinker", below which, natural deposits of sandy gravelly clay soils. The study included contamination testing:

“To provide information upon the possibility of ground contamination six samples of made ground were selected for shallow contamination testing. A Low to Moderate overall contamination risk was highlighted in the Phase 1 Desk Study due to previous land uses. This coupled with the end use being Residential with Home Grown Produce means that six samples are considered appropriate for testing:

- *TP1 – 0.00-0.20m (Made ground – topsoil)*
- *TP2 – 0.00-0.20m (Made ground – granular fill)*
- *TP3 – 0.00-0.20m (Made ground – topsoil)*
- *TP4 – 0.00-0.20m (Made ground – topsoil)*
- *TP6 – 0.00-0.20m (Made ground – topsoil)*
- *TP8 – 0.00-0.20m (Made ground – topsoil)*

The samples selected are considered to provide coverage of the made ground from across the site that would be most likely to be exposed during future site works”.

Tests confirmed that:

- *“elevated concentrations of arsenic were encountered within TP6 (0.00-0.20m), in the southeast of the site”,*
- *“concentrations of three aromatic TPH fractions and 10 speciated PAH contaminants were elevated, along with total PAH. All of these results relate to TP2 0.00-0.20m in the northwest of the site, coinciding with the presence of ash and tarmacadam material localised to the historic tennis court”.*

A ground gas assessment was also undertaken, (the results of which are presented in a separate report). The report did confirm that the gas monitoring:

“is via measuring emissions from three standpipes (BH1, BH4 & BH5) that were installed during the sitework. The gas monitoring will consist of six visits over a period of three months”.

The report then goes on to discuss mitigation measures for each receptor to reduce the risks associated with these findings.

The Ground Gas Risk Assessment undertook gas monitoring in three wells (BH1, BH4 and BH5) on the 24th of April, 8th May, 6th June, 11th July, 31st July and 21st August 2019. The maximum carbon dioxide concentration reported was 3.9% v/v, the minimum oxygen concentration was 14.7% v/v, and the peak flow rate was 0.1 l/h. No methane was detected. This resulted in a gas screening value of 0.0039 l/h. As such, Solmek classified the site as CS1.

The submitted reports are satisfactory, however, they are now 7 years out-of-date, and it is not clear what has occurred to the site in the years since. Disused land can become contaminated through the fly tipping of waste, site-fires, abandoned vehicles and the like.

Before proceeding with the next stage in the contaminated land remediation process, it will be necessary to update both the Phase 1 and Phase 2 reports to account for the intervening years.

Evidence in the form of photographs of the site and a commentary that accounts for the intervening years to bring the reports up to date to recognise the current state of the land will be necessary. If the evidence presented in the updated reports concludes that no additional contamination is likely to have occurred (submitted to and approved in writing by the Local Planning Authority), the applicant can proceed with the remediation and validation phases.

Recommendations

In light of the aforementioned, Environmental Health would recommend the following conditions are included when determining the application:

CLC1 Submission of an UPDATED Phase 1 Preliminary Risk Assessment Report - Condition

Groundworks shall not commence until actual or potential land contamination at the site has been investigated and an UPDATED Preliminary Risk Assessment (Phase I Desk Study 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 190 of the National Planning Policy Framework

CLC2 Submission of an UPDATED Phase 2 Intrusive Site Investigation Report - Condition

Where further intrusive investigation is recommended in the UPDATED Preliminary Risk Assessment approved pursuant to condition (CLC1), groundworks (other than those required for a site investigation report) shall not commence until a FURTHER 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 190 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] G/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 190 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 190 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 190 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 2021. 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.