

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

2026/90221 - Fallbrook House, Falhouse Lane, Whitley, Dewsbury, WF12 0NJ

Discharge of details reserved by condition 13 (Remediation Strategy) on previous permission 2021/90177 for variation of conditions 5, 13, 14 on previous permission 2017/93772 for demolition of existing building and erection of detached dwelling

Date Responded:
Wednesday, 04 March
2026

Responding Officer:
Hannah Kent

Responding Ref:
WK/20265580

Thank you for consulting Environmental Health on the above discharge of condition 13 (Remediation Strategy).

Condition 13 states:

Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 13, construction of the new dwelling shall not commence until a Remediation Strategy 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

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

- a) Method Statement for the Assessment of Imported Soils Report Ref: TRN/01imp, dated 25th January 2021, prepared by ARP Geotechnical Ltd
- b) Soil Contaminant Screening Values Spreadsheet, dated Nov 18, by ARP Geotechnical Ltd
- c) Application for Discharge of Condition 13 Supporting Statement, (no reference or date supplied).
- d) Statement on Gas Protection Report Ref: TRN/01sgp, dated 12th January 2026, prepared by ARP Geotechnical Ltd

Environmental Health has previously commented on the above with the exception of the supporting statement (c) and Statement on Gas Protection Report Ref: TRN/01sgp (d), and therefore our response will focus on these.

I draw the applicant to our last response dated 1st June 2022, where we acknowledged the information detailed in a letter titled 'Discharge of Conditions 13 and 14 on permission no. 2017/93772' by ARP Geotechnical Ltd, dated 7th September 2021 which stated:

once a detailed foundation design has been finalised a Statement on Gas Protection will be prepared and issued to the council for approval

Our response clarified our position and further advised that:

The information submitted in the method statement is satisfactory and we accept the Method Statement for Imported Soils ARP Geotechnical Ltd, dated 25th January 2021 (ref: TRN/01imp). However, this information does not form a complete remediation strategy and therefore does not satisfy the requirements of Condition 13. For instance, no ground gas protection elements have been proposed and it is unclear how these will be validated. We

expect a robust report to be submitted for approval. Therefore, Condition 13 must remain until further notice.

Construction of the new dwelling shall not commence until a Remediation Strategy 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.

The issued Statement on Gas Protection Report Ref: TRN/01sgp, dated 12th January 2026 was anticipated once a foundation design had been formalised, however, the aforementioned report states that:

At this stage the foundation and floor slab arrangement for the proposed development has not been finalised.

Nevertheless, Section 4 of the Statement outlines the:

Design of Gas Protection Measures in accordance with BS 8485:2015+A1:2019 "Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings". The building type proposed for the site will fall into the category of a "Type A" building. For a CS2 classification, 3.5 protection points are required to be achieved from tables 5, 6 and 7 of the Standard, for Type A buildings.

The report goes on to provide two options that would meet the requirements of BS 8485:2015+A1:2019;

- Option 1 being a beam and block floor system, a compliant gas membrane, and a passively vented underfloor void; and
- Option 2 advises that a cast insitu reinforced raft with minimal penetrations along with a compliant gas membrane, details of which are given.

Paragraph 4.9 confirms that:

Once a final solution is chosen, a detailed foundation design drawing will be provided

Section 5 reiterates the requirement for the independent verification/validation process.

The submitted Statement on Gas Protection Report Ref: TRN/01sgp completes the final component in the site remediation requirements. However, it does not confirm the chosen foundation design or provide a timetable for the implementation and completion of the remediation measures.

Environmental Health did remind the applicant of the need to provide a robust report for the discharge of condition 13. The submitted statement is accepted as satisfactory for the purposes of providing gas protection. However, condition 13 requires a consolidated report that confirms the remediation strategy in its entirety, along with a timetable for the implementation and completion of remediation measures. A consolidated remediation strategy could be provided once the detailed foundation design has been chosen that includes clarification of the validation process.

RECOMMENDATION

Environmental Health accept the submitted Statement on Gas Protection Report Ref: TRN/01sgp, dated 12th January 2026, prepared by ARP Geotechnical Ltd as satisfactory for the purposes of providing gas protection. However, the submitted documents do not satisfy the requirements of Condition 13 and further information is required. Therefore, Condition 13 must remain until further notice

