

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2026/90507 & land adj, 21, Westcliffe Rise, Cleckheaton
Discharge of details reserved by conditions 4 (bat and bird boxes), 5 (bins), 6 (Phase II Report), 7-11 (Remediation Strategy), 12 (boundaries) on previous permission 2025/91577 for erection of two semi-detached dwellings
Date Responded:
Monday, 06 April 2026
Responding Officer:
Hannah Kent
Responding Ref:
WK/202605723

Thank you for consulting Environmental Health on the above discharge of condition application. Environmental Health will only respond to those conditions within our remit, namely, conditions 6 (Phase II Report), and 7-9 (Remediation Strategy).

Condition 6 states:

Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Condition 7 states:

Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 6 further 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.

Condition 8 states:

Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 7. 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.

Condition 9 states:

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 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.

COMMENTS

The applicant has submitted a Phase 2 Geo-Environmental Investigation Report number C5245/25/E/8048, dated August 2025, prepared by Rogers Geotechnical Services Ltd.

The report states that *A Phase 1 Desk Study has been undertaken by Rogers Geotechnical Services (RGS) and the results were presented as report number C3383/23/E/5124 in May 2023. This report has been used extensively during the current intrusive investigation.*

I am not aware that Environmental Health have previously been consulted on the discharge of contaminated land conditions and therefore we have not previously had sight of or reviewed the Phase 1 Desk Study Report Ref:C3383/23/E/5124, prepared by Rogers Geotechnical Services (RGS).

Environmental Health have now reviewed the Phase 1 report which concluded:

the Phase 1 Desk Study shows there are potential sources of contamination on the site and in the surrounding area.

Section 5.2.1. confirmed the following:

Contamination Assessment

It may be appreciated that BS 10175 clause 7.7.2.2.3 suggests that the number of sampling points at the site should be based on a minimum of three testing locations or the size of the site with respect to the appropriate grid spacing, whichever the greater. On the basis of the site area being 0.01ha, the number of sampling points at the site should be considered with respect to the table below.

Table 12: Summary of Sampling Strategy					
NUMBER OF SAMPLING POINTS					
	Soil	Water	Asbestos	Standpipes	Standpipe Readings
Exploratory Investigation 50m x 50m grid	3	-	3	3	A minimum of 4 readings over 1 month would be required as per risk assessment, however any regime must take into account the guidance detailed below.
Target Areas	Should be assessed during any investigation.				

Chemical testing should be undertaken on the above grid spacing and the following standard testing regime should be undertaken

- **Metals** – Cd, Cr, Cu, Hg, Ni, Pb, Zn, V.
- **Semi Metals and Non Metals** – As, Se, Free Cyanide and Phenols.
- **Hydrocarbons** – Polycyclic aromatic hydrocarbons (PAH EPA16), Total petroleum hydrocarbons (TPH CWG).
- **Others** – pH, Organic Content.
- **Asbestos**

Sampling Method

Investigation should include the installation of three gas monitoring standpipes for subsequent monitoring. Furthermore, soils should be obtained for chemical sampling. The sampling strategy should employ the non-targeted strategy given above in the first instance, i.e. at least three sampling points, if it is anticipated that made ground is significant across the site. However, if the made ground at the site is thought to be localised to specific areas, then the targeted strategy should be used. It should be possible to carry out the above work with a windowless sampling drilling rig.

The applicant has submitted a Phase 2 GeoEnvironmental Report Ref: C5245/25/E/8048, dated 28th August 2025, prepared by Rogers Geotechnical Services (RGS).

The intrusive investigation included 3 soil samples, and included 3 gas monitoring standpipes.

The results of the soils sampling found:

Concentrations of chromium(VI), mercury, free cyanide, phenols (total), polycyclic aromatic hydrocarbons (US EPA16) and total petroleum hydrocarbons (aliphatic C5 to C35; aromatic C5 to C35) were below the detection limits for the tests. Detectable levels of all other contaminants were recorded, but these fell below the associated At Risk Soil Screening Values. In addition, no asbestos was detected within the soils samples tested.

In terms of gas concentrations on site, the gas monitoring concluded that the:

Site is Characteristic Situation Level 2 and precautionary measures are required.

Remediation will be required to either remove the contamination or break pathways.

The report provides an indicative remediation strategy.

A contaminated land remediation strategy has not been provided.

RECOMMENDATION

The submitted Phase 2 GeoEnvironmental Report Ref: C5245/25/E/8048, dated 28th August 2025, prepared by Rogers Geotechnical Services satisfies the requirements of condition 6 (Phase II Intrusive Site Investigation Report), which may now be discharged.

The site will now require:

1. A contaminated land Remediation Strategy (condition 7), and
2. A Verification Report (condition 9)

to be submitted to the local planning authority.