

**Consultation Response from: KC Environmental Health (Pollution & Noise Control)**
**2026/91058 Magma Ceramics, Low Road, Earlsheaton, Dewsbury, WF12 8BU**
**Discharge of details reserved by conditions 15 (Remediation Strategy) and 17 (Validation Report) on previous permission 2020/90988 for variation of condition 2 (plans and specifications) on previous permission 2013/90497 for erection of new industrial units**
**Responding Date:**  
 29<sup>th</sup> April 2026

**Responding Officer:**  
 SR

**Responding Ref:**  
 WK202611962

**Comments**

In November 2016 we commented on a Phase 2 report (ref 16-05-06) by Demeter Environmental Ltd, submitted in support of the discharge of condition 14. (Phase II Intrusive Site Investigation Report) of application 2016/92974.

Table 7: Refined Preliminary Conceptual Model of the report identified risk associated with carbon dioxide gas and made ground and postulated remediation in the form of :

- Placement of a 300mm cover underlain by a geotextile on all landscaped areas
- Water mains not to be specified as PE or PVC, or the alignment of any new water mains will need to be remediated
- Based on the guidance in BS8485:2015 the development would comply with a 'Type D building,' hence the gas protection measures would need to exceed 1.5, which is likely to be achieved by the installation of a gas protection membrane in line with BS8485.

We accepted the report reminding the applicant that the remaining contaminated land conditions were still remaining.

The current application seeks to discharge conditions 15 (Remediation Strategy) and 17 (Validation Report). In support of the discharge a letter by Demeter Environmental Ltd dated the 17<sup>th</sup> of March 2026 has been submitted.

We have reviewed the letter which appears to present new soil sampling results. Unfortunately this does not address the remediation postulated in the accepted phase 2 report. It is not a Remediation Strategy nor a Validation Report, it is possible the additional sampling may provide evidence to support these documents. We are not informed if this is clean cover material brought to site, we have concerns that contaminated soils which included asbestos containing material identified in the phase 2 report have not been remediated effectively. We would remind the applicant that all the points raised in the phase 2 report should be addressed in any future documents presented.

**Recommendations**

Due to lack of information we are unable to recommend discharge of conditions 15 and 17 at this time.