

Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2026/91345 - Land adj, 17, Whitehall Road West, Birkenshaw, BD11 2LS		
Discharge of details reserved by condition 9 (Remediation Strategy) on previous permission 2024/92281 for erection of 23 dwellings		
Date Responded: Monday, 08 June 2026	Responding Officer: HK	Responding Ref: WK202615897
Thank you for consulting Environmental Health on the above discharge of condition. Condition 9 states: 9. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (8), 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. <u>COMMENTS</u> Environmental Health have previously commented on the discharge of contaminated land conditions 7&8 in our Consultation Response Ref: WK202605732, dated 4th March 2026 confirming that: <i>Conditions 7&8: On the basis of the professional judgement of the report author and the evidence and interpretations presented in the letter report by Groundtech Consulting dated the 9th of February 2026, RSK Environment Ltd 'Site Investigation' (Ref. 350520-R01 (00)) dated November 2022, the ARP Geotechnical Ltd 'Combined Stage 1/Stage 2 Geo-Environmental Report (Ref. ORH/20r1) dated 11th August 2023 and the Groundtech Consulting Ltd 'Coal Mining Risk Assessment' (Ref. GRO-24208-5354) dated 16 August 2024; Environmental Health have no objection to the discharge of conditions 7&8.</i> The applicant has now submitted a Remedial Specification Report, Ref: GRO-24208-6584, dated 14th May 2026, prepared by Groundtech. The report summarises the previous site investigations and discusses the outline remedial strategy suggesting that: <i>"On commencement of the enabling phase, the topsoil is to be stripped and stockpiled separately from the remainder of the material and it considered that sufficient dilution will occur of the arsenic concentrations further reducing the risk to site end users. No further action is considered to be necessary with respect the arsenic within the topsoil based on the chemical testing undertaken to date and topsoil is considered to be suitable for reuse onsite within private garden areas".</i> <i>"Validation of the cover systems placed in private garden areas including chemical and depth validation is to be undertaken following placement in accordance with YALPAG and a validation frequency of 1 per 2 plots is proposed at present".</i> Section 4 presents the phasing of the remediation outlining the responsibilities for each phase, confirming the following: <i>"The implementation of the remediation proposals will be in accordance with the following documented quality assurance procedures:</i> <i>1. Detailed Remediation Specification which outlines the requirements to demonstrate the effectiveness of the remediation in order to meet the remediation objectives. These are detailed in the following sections of this report.</i>		

2. *Enabling Works Verification Report which will provide a complete record of the remediation activities undertaken during the enabling phase as part of the verification plan to support compliance with remediation objectives and criteria. The report will also contain descriptions of the works including photographic evidence and details of any unexpected conditions encountered during the remedial works and how they were dealt with. The mining remediation is to be issued under a separate cover.*
3. *Cover System Validation Report which will validate the suitability and depth of cover system in garden areas”.*

The submitted Remedial Specification Report, Ref: GRO-24208-6584, dated 14th May 2026, prepared by Groundtech satisfies the requirements of condition 9 which may be discharged.

RECOMMENDATION

Condition 9 (Remediation Strategy) Environmental Health accept the submitted Remedial Specification Report, Ref: GRO-24208-6584, dated 14th May 2026, prepared by Groundtech and have no objection to the discharge of condition 9.