Consultation Response from: KC Environmental Health (Pollution & Noise Control)		
2026/92028 Land off, Bankwood Way, Birstall Retail Park, Birstall, Batley, WF17 9DT		
Discharge of details reserved by conditions 18 (Remediation Strategy) and 20 (Validation Report) on previous permission 2024/91591 for variation of conditions 2-6, 15, 29 on previous permission 2021/92528 for erection of retail development, associated parking, servicing areas and landscaping		
Responding Date: 14/08/2026	**Responding Officer: KB**	**Responding Ref: WK202623782**

Further to previous consultation responses from Environmental Health, we acknowledge receipt of the updated Combined Remediation Strategy, Drilling & Grouting Plan prepared by Remada Ltd (Ref: 1080.07.04, Revision 04. June 2026) submitted in support of the discharge of Condition 18 (Remediation Strategy).

It is important to note that the current submission before Environmental Health for the consideration of Condition 18 (Remediation Strategy). Whilst additional information has been submitted relating to Condition 20 (Validation Report), Environmental Health has not considered this information as part of this review.

Condition 18 remains outstanding and must first be satisfactorily addressed before consideration can be given to any subsequent verification, validation or post-remediation monitoring submissions.

The report includes geotechnical information, which is outside the remit of Environmental Health, this consultation response therefore only relates to the land contamination aspects of the report.

Condition 18 - Remediation Strategy
We have reviewed the submitted Remediation Strategy and note that whilst the strategy has been updated following our previous consultation responses, it appears substantially unchanged from the previous Revision 03 (January 2025) document that has previously been reviewed.

The principal amendment identified is to Figure 1, where the previous reference to "site-wide turnover to 1.5m below ground level" has been replaced with a cut and fill strategy in accordance with the SDS engineering design. This amendment appears intended to clarify the proposed earthworks approach and address previous concerns that Environmental Health raised regarding the potential disturbance of landfill materials.

Aside from these amendments, the conceptual site model, remediation objectives, ground gas mitigation strategy, drill and grout methodology, verification requirements and proposed post-remediation ground gas monitoring regime remain materially unchanged from the previously submitted version.

Comments
The Remediation Strategy provides a framework for the treatment of shallow mine workings through drilling and pressure grouting, management and reuse of suitable site-won materials,

installation of gas protection measures; implementation of ground improvement measures; validation and verification of remediation works; and future ground gas monitoring.

The strategy continues to adopt a precautionary CS4 ground gas design basis, reflecting the significant concentrations of methane and carbon dioxide historically recorded within landfill materials on site.

However, Environmental Health does not consider that Revision 04 materially resolves the outstanding concerns previously identified in relation to Condition 18.

There are several outstanding matters.

1. Ground Gas Protection
The Remediation Strategy adopts a precautionary Characteristic Situation 4 (CS4) approach and proposes a combination of venting measures, gas membrane protection and reinforced slab construction. The strategy also proposes that further ground gas monitoring be undertaken and that the results be used to inform an updated Ground Gas Risk Assessment following completion of the remediation works.

Environmental Health notes that the proposed gas protection strategy is therefore dependent upon subsequent monitoring and assessment to demonstrate the residual gas regime and confirm the suitability of the proposed protection measures. As such, the Remediation Strategy continues to rely upon future monitoring and assessment to characterise post-remediation ground gas conditions and to confirm the adequacy of the proposed protection measures that have previously been agreed.

Inconsistencies remain within the supporting documentation. Whilst the Remediation Strategy adopts a CS4 approach, references to both CS2 and CS4 gas protection measures are included within the supporting engineering drawings. Clarification is required to ensure there is no ambiguity regarding the gas protection measures ultimately intended for installation.

2. Post-Remediation Ground Gas Characterisation
The proposed post remediation ground gas monitoring regime contained within Section 6.9 of the Remediation Strategy. The strategy proposes installation of three monitoring wells per building footprint and a minimum of four monitoring visits over a four-week period, with the results intended to inform an updated Ground Gas Risk Assessment.

The site has a complex ground gas regime characterised by significant depths of historic landfill deposits, former mine workings, multiple potential gas generation and migration pathways and previously recorded elevated methane and carbon dioxide concentrations. As such we do not consider that the Remediation Strategy adequately demonstrates that the proposed monitoring regime will provide a robust characterisation of the residual ground gas conditions following remediation.

The strategy provides no site-specific technical justification for departing from the monitoring frequencies typically recommended within CIRIA C665. For a commercial development located on a site with high to very high gas generation potential, CIRIA C665 indicates that a typical minimum monitoring regime would normally comprise up to 12 monitoring visits undertaken over a period of 6 months. The proposed four monitoring rounds over four weeks

fall significantly below these indicative monitoring frequencies and durations.

Whilst we accept that monitoring requirements should always be proportionate and site-specific, we have on several occasions stated that the submitted strategy does not contain sufficient technical justification to demonstrate why the proposed monitoring regime would provide a sufficiently robust dataset for a site of this complexity.

3. Materials Management and reuse of site-won materials
The Remediation Strategy proposes significant earthworks, reuse of site-won materials and reuse of demolition-derived materials within the development. However, key elements of the materials management process remain insufficiently defined at this time.

The strategy states that remediation formation levels are to be determined by the structural engineer and identifies approximately 1,800m³ of surplus material will require off-site disposal. The report also refers to seven existing stockpiles believed to be from previous demolition at the site, which are understood to be suitable for reuse as engineered fill, although confirmation of their suitability was outstanding at the time the strategy was prepared.

There is a suggestion in section 4.1.2 that a Materials Management Plan should be prepared but no such document has been submitted in support of this application. As such we consider that the proposed management of site-won materials remains insufficiently defined within the submitted remediation strategy.

Recommendations

Environmental Health acknowledges that verification documentation and post-remediation monitoring information have been submitted as part of the wider application process in support of Condition 20 (Validation Report). However, Condition 18 (Remediation Strategy) remains outstanding and has not yet been satisfactorily addressed. As such, Environmental Health is not currently able to review, assess or comment on the submitted verification or monitoring information. Any assessment of validation evidence would be premature until an acceptable Remediation Strategy has first been agreed.

Whilst Revision 04 of the Remediation Strategy introduces a number of amendments, these do not materially alter the remediation approach previously reviewed by Environmental Health and do not address the principal outstanding concerns regarding the proposed post-remediation ground gas characterisation and the adequacy of the post-remediation monitoring regime.

Until these matters have been satisfactorily resolved, Environmental Health cannot recommend discharge of Condition 18.

The applicant is reminded that Condition 18 requires the submission and approval of an up-to-date Remediation Strategy prior to the commencement of development. The piecemeal submission of information across this and related planning applications has unnecessarily complicated the assessment process and makes it difficult to establish the current status of the site and whether remediation works have been undertaken, or are proposed to be undertaken, in accordance with an approved remediation strategy.

To enable a robust assessment, a single, comprehensive and contemporaneous report should be submitted which confirms the current status of the development, including whether any remediation, groundworks or construction activities have commenced. The report should also address all matters raised within this consultation response and clearly demonstrate how the requirements of Condition 18 will be met.

In light of the above, it is recommended that the Planning Officer refrains from seeking further consultation from Environmental Health until such a report has been submitted and the applicant's agent has confirmed that all outstanding matters raised in this response have been addressed.

Only once a satisfactory Remediation Strategy has been submitted and approved will Environmental Health be in a position to review any verification reports, validation reports or post-remediation monitoring data submitted pursuant to Condition 20. The applicant is reminded that Condition 18 is a pre-commencement condition.