

Consultation Response from: KC Environmental Health (Pollution & Noise Control)
2026/92061 Land adj, 17, Whitehall Road West, Birkenshaw, BD11 2LS
Discharge of details reserved by conditions 6 (coal remediation) and 11 (verification report) on previous permission 2024/92281 for erection of 23 dwellings
Responding Date:
20/08/2026

Responding Officer:
KB

Responding Ref:
WK202623782

Environmental Health has reviewed the submitted information that relates to the Contaminated Land specifically Condition 11 (Verification Report).

Matters relating to Condition 6 (Coal Remediation) have not been reviewed as part of this response and should be considered by the Mining Remediation Authority and/or other relevant consultees.

Letter report by ARP Geotechnical Ltd. RE: Whitehall Road West, Birkenshaw. Garden Soils Validation - Plot 1. Ref: ORH/20/JPjcl4 dated 27th July 2026.

ARP Geotechnical undertook a site visit on 22 July 2026 to validate garden soils within Plot 1. A hand-dug trial pit was excavated to 0.45m below ground level. The pit recorded approximately 0.25m of topsoil overlying natural clay. No Made Ground was encountered. ARP conclude that as natural ground was present beneath the garden, the approved remediation strategy requirement for a 450mm cover system does not apply and that the 250mm topsoil layer exceeds the nominal 150mm requirement for natural formation ground. ARP conclude that the site-won soils are suitable for residential reuse.

Letter report by ARP Geotechnical Ltd. RE: Whitehall Road West, Birkenshaw. Garden Soils Validation - Plots 20 and 21. Ref: ORH/20/JPl1 dated 11th June 2026.

ARP Geotechnical undertook validation works on 29 May 2026. A hand-dug pit excavated to 0.45m recorded approximately 0.30m of topsoil overlying natural clay. No Made Ground was reported within the inspected area. ARP also visually inspected a stockpile located within the rear gardens of Plots 15-19 and stated that the material appeared consistent with that placed within the gardens of Plots 20 and 21. ARP conclude that an appropriate depth of cover soil has been placed and that previous laboratory testing demonstrates the soils are suitable for residential use with respect to human health.

Letter report by ARP Geotechnical Ltd. RE: Whitehall Road West, Birkenshaw Garden Soils Validation - Plots 15 to 19. Ref: ORH/20/L5/JPjc dated 18th August 2026.

ARP Geotechnical undertook validation works on 17 August 2026. Hand-dug pits were excavated within Plots 15, 17 and 19 to a depth of 0.6m. The pits recorded between 0.4m and 0.5m of topsoil overlying natural clay. No Made Ground was encountered in the inspected locations. ARP conclude that the topsoil depths exceed the nominal 150mm requirement applicable where natural ground is present and that the garden areas satisfy the requirements of the approved remediation strategy. Previous site investigation and statistical assessment data are relied upon to demonstrate the suitability of the site-won soils.

Comments

The submitted information provides partial validation of garden soils and cover depths for selected plots (Plots 1, 15, 17, 19 and 21) with a further seven samples required to demonstrate the agreed sampling frequency.

We remind the applicant that Condition 11 requires a Verification Report. Fragmented and piecemeal

submissions not only delay the planning process but also make it difficult for us to assess whether remediation has been undertaken in accordance with the approved strategy. A single, comprehensive Verification Report must be compiled to demonstrate that remediation has been completed in line with the approved strategy.

Recommendations

Whilst the submitted information provide evidence relating to cover soil depths, they do not constitute the Verification Report required by the approved remediation strategy and do not provide a complete record of the remediation activities undertaken during the enabling works phase.

We are not able to discharge Condition 11 (Verification Report) at this time.