

Consultee Comments for Planning Application 23/00753/OUT

Application Summary

Application Number: 23/00753/OUT

Address: Wrangham Philips Lane Darrington Pontefract WF8 3BH

Proposal: Proposed detached dwelling (outline application for access, appearance, layout and scale)

Case Officer: Sarah Edson

Consultee Details

Name: Land Quality Wakefield Council

Address: Wakefield One, Burton Street, Wakefield WF1 2EB

Email: Not Available

On Behalf Of: Land Quality Officer

Comments

I have NO OBJECTION to this proposal but would like to make the following comments and recommendations.

The application is assessed as low risk in respect of land contamination. Historic maps do not indicate any previous industrial development on the land, though there have been previous buildings on the site. There is some potential for made ground associated with the foundations of former buildings. The proposed dwelling will be built within the garden area of an existing dwelling. We recommend that the applicant seeks specialist engineering advice to assist with foundation designs.

We hold no records of historic landfills within 250m. The UK Radon Map shows the area is in the 0-1% of homes above the action level zone for radon gas. Radon gas protection measures are not required. Geology maps show the land is not underlain by Coal Measures, no infilled land, coal seams or geological faults are marked. Risks from ground gases is assessed as low.

REPORT SUBMITTED

None

LAND QUALITY COMMENTS

Low risk development. We recommend the informative note below is included on any decision notice.

RECOMMENDED INFORMATIVE

INFORMATIVE 1 LAND CONTAMINATION/RADON GAS

The responsibility to properly address land contamination issues, including the safe development of land and secure occupancy, and irrespective of any involvement by the Council, lies with the owner/applicant/developer of the site. The owner/applicant/developer is requested to contact the Council's Land Quality Team as soon as practicable should contamination be encountered during the development of the site. In line with Section 178 of the National Planning Policy Framework the site should be suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining and pollution arising from previous uses. Should the land be determined as Contaminated Land in the future under Part 2A of the Environmental Protection Act 1990 (as amended) the Council could pursue the developer of the land for any costs relating to the remediation of this land.

Geoff Richardson
Land Quality Officer
25th May 2023

LAND QUALITY - NATIONAL PLANNING POLICY

Contaminated Land is a material planning consideration when determining planning applications and Sections 174, 183 and 184 of the National Planning Policy Framework sets out the overarching planning policy on Contaminated Land whereby:

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability;
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

183. Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c) adequate site investigation information, prepared by a competent person, is available to inform

these assessments.

184. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

LAND QUALITY - LOCAL PLANNING POLICY

The Local Authority, in its function as the Local Planning Authority must consider the implications of land contamination on development. The Local Development Plan sets out policies relating to the development of contaminated land in the Core Strategy and Development Policies documents. The following specific policy on Contaminated Land is set out in the document:

Policy D22 - Contaminated Land

Within the district are areas where there are adverse ground conditions caused by unstable or contaminated land, including the presence of methane gas, as a result of past activities such as mining, quarrying, heavy industrial processes and chemical works.

1. Development on or adjacent to land where there are adverse ground conditions will not be permitted unless it has been adequately demonstrated that these conditions have been properly identified and safely treated. Proposals for development should include a desk study of the previous uses of the site identifying possible ground contamination. Where contamination has been identified or is strongly suspected, a full site investigation shall be submitted with the planning application. This investigation shall clearly identify the contamination, assess the risk to human health and controlled waters, and propose remediation requirements where necessary.

2. Development proposals that lie within 250 metres of a former or current landfill site shall be accompanied by an assessment of the likelihood of gas migration affecting the development. Where necessary, remediation measures shall be identified to ensure the safety of the development and its occupants. Where development proposals are within 50 metres of a landfill site development will only be permitted if suitable investigations indicate there is no risk to people or property or where mitigation measures will provide suitable protection.