KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended)

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR CONSENT, AGREEMENT OR APPROVAL REQUIRED BY CONDITION

Reference No:	**2021/44/94316/W**
Site Address:	King James School, St Helen's Gate, Almondbury, Huddersfield, HD4 6SG
Description:	Discharge conditions 4 and 11 on previous permission 2020/92657 for erection of 10 classroom teaching block and formation of car parking area with associated engineering and landscape works (within a Conservation Area)
Recommending Officer:	Stuart Howden

DECISION – Approve details for condition 4, Partial Approval of details for condition 11

I hereby authorise the partial approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Teresa Harlow

AUTHORISED OFFICER

Date: 30-Mar-2022

Officer Report - Discharge of Conditions Application

The application seeks to discharge conditions 4 and 11 on previous permission no. 2020/92657 for erection of 10 classroom teaching block and formation of car parking area with associated engineering and landscape works at King James School, St. Helen's Gate, Almondbury, Huddersfield, HD4 6SG

Condition 4 (Validation Report):

Wording

4. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority.
***Reason**: To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework*

Officer Assessment

A Verification Report by Abbeydale BEC dated October 2021 (ref: 574010VR) has been submitted in support of this discharge of condition application.

The report outlines that several verification visits were undertaken by Abbeydale between 11th August and 1st September 2021. In Section 7 of the report, it is detailed that a series of components have been fitted to meet the minimum ground gas protection score of 3.5, for a CS2 site, in accordance with BS8485:2015. A 25mm void former was utilised and twelve telescopic vents to provide passive ventilation. A PA Geotechnical Standard Gas Barrier was placed over the void former used across the proposed ground bearing floor slab. Service entries were sealed with pre-cut squares of gas membranes and then sealed. Each joint was sealed with a butyl sealant and a hand roller. Localised repairs were completed by the installation contractor by sealing areas of gas membrane over the identified areas of damages and no other visual signs of potential damage were noted elsewhere on the final site inspection visit before the concrete floor slab was cast. Inspection checklists completed by an Abbeydale BEC Validation Engineer and photographic evidence of the installation has been provided in the appendix. The report concludes that that sufficient gas protection measures have been installed. It is also added that no imported soils were brought to site as part of the development works that required chemical validation to confirm their suitability for use in general landscaping areas.

KC Environmental Health (EH) noted that the report is generally satisfactory. However, KC EH noted that several different gas membranes are detailed throughout the report (the PA Geotechnical membrane, a silver membrane, and a yellow membrane). KC EH went on to note that no manufacturer and product specification has been provided for the reinforced yellow membrane discussed in Section 6 of the report. KC EH stated that it is unclear why the same gas protection membrane has not been utilised site wide. To confirm that all the membranes utilised is suitable, KC EH noted that they require additional information concerning the yellow membrane detailed.

Following this, on 7th March 2022, an email was received from the applicant's agent with additional details from Abbeydale BEC, along with an attached product data sheet for Rhinoplast Super gas barrier. Abbeydale BEC went on to describe the method of installation and sealing of the membrane. KC EH consider that Condition 4 can be discharged based on this information. Officers concur with this conclusion.

Condition 11 (Traffic Survey):

Wording

Prior to the hereby approved teaching block being brought in to use a traffic survey shall be undertaken on St Helen's Gate, submitted to and approved in writing by the Local Planning Authority. Within six months of the teaching block being brought in to use a further traffic survey shall be carried out and submitted to, and approved in writing by, the Local Planning Authority, together with a schedule of any mitigation measures considered necessary to mitigate the impact of associated development traffic, identified between the two surveys, with timescales for implementation. Unless otherwise agreed in writing the approved mitigation measures shall be implemented and retained in accordance with the approved timescales.
***Reason**: To ensure the proposal's impact upon the local highway network is appropriately assessed and mitigated against, in the interest of Highway safety and efficiency, to comply with the aims and objectives of Policy LP21 of the Kirklees Local Plan.*

Officer Assessment

A Highways Technical Note prepared by Bryan G Hall which includes a traffic survey undertaken on St.Helen's Gate, carried out by MHC Traffic Ltd on Thursday 30th September 2021 has been submitted in support of this application. KC Highways Development Management consider this survey satisfactory to partially discharge Condition 11.

In order to fully discharge this condition, within six months of the teaching block being brought in to use a further traffic survey will need to be carried out and submitted to, and approved in writing by, the Local Planning Authority, together with a schedule of any mitigation measures considered necessary to mitigate the impact of associated development traffic, identified between the two

surveys, with timescales for implementation. Unless otherwise agreed in writing, the approved mitigation measures will need to be implemented and retained in accordance with the approved timescales.

Recommendation – Partial Approval

Decision Text

Partial Approve

Condition 4 (Validation Report)

The following information submitted is sufficient to satisfy Condition 4 which is hereby discharged:

- Verification Report by Abbeydale Building Environment Consultants (ref: 574010VR) dated October 2021 received with the application.
- E-mail from Abbeydale Building Environment Consultants dated 7th March 2022 detailing the membrane and its installation.
- 'Rhinoplast Super Gas Barrier' Data Sheet by Principal Building Products Ltd received from the applicant's agent by e-mail on 7th March 2022.

Condition 11 (Traffic Survey)

The Highways Technical Note (First Survey of St Helen's Gate) dated 9th November 2021 prepared by Bryan G Hall which includes a traffic survey undertaken on St.Helen's Gate, carried out by MHC Traffic Ltd on Thursday 30th September 2021 is sufficient to partially discharge Condition 11.

However, in order to fully discharge this condition, within six months of the teaching block being brought in to use a further traffic survey will need to be carried out and submitted to, and approved in writing by, the Local Planning Authority, together with a schedule of any mitigation measures considered necessary to mitigate the impact of associated development traffic, identified between the two surveys, with timescales for implementation. Unless otherwise agreed in writing, the approved mitigation measures will need to be implemented and retained in accordance with the approved timescales.

Report Dated: 30/03/2022