



Kirklees Council
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S Peace
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Date: 27-Jun-2022
Our Ref: 2022/91685

Dear Sir/Madam

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge of conditions 6 - 10 (contamination and remediation) on previous
permission no. 2019/91038 for demolition of existing garages and erection of one
detached dwelling
adj, 71, Quarmby Road, Quarmby, Huddersfield, HD3 4EA
Application Number: 2022/91685**

I write with reference to your application to discharge the conditions for the above
development as submitted on 17-May-2022.

Condition 6 – Phase 1 Risk Assessment

The following has been submitted:

- Phase I Desktop Study and Preliminary Risk Assessment Report by GeoEnviro Solutions Ltd, dated January 2022 (ref: GES 2112-21 PI Report)

It is understood that a site investigation has already been undertaken. The report is considered satisfactory for the purposes of Condition (6) and it is recommended that it can be discharged.

Condition 7- Phase II Site Investigation

The following has been submitted:

- Phase II Site Investigation and Updated Risk Assessment by GeoEnviro Solutions Ltd, dated March 2022 (ref: GES 2112-21 PII Report)

Officers do not accept the Phase II Site Investigation and Updated Risk Assessment, for the following reasons.

No ground gas monitoring has been offered and the justification for a lack of monitoring is unclear. This appears to relate to ground gases generated from made ground on-site, not ground gases from off-site sources associated with made ground and landfill sites. Regarding RB17 guidance and the radon barrier, the guidance is clear that gas monitoring on low-risk sites where small volumes of gas are likely to be present is not always necessary. However, with the proximity of a historic landfill <50m away from the site and an identified moderate/low risk of a potential pollutant linkage, this site is not considered to be low-risk. A combination of gas protection elements should be installed if a ground gas issue has been identified. Yet without establishing the ground gas regime, it would be unclear what level of protection (if any) is required. Therefore, further clarification or information is required.

In addition, there are concerns that there is insufficient hardstanding in the area at TP03 to break the pollutant linkage identified. Therefore, the applicant must clarify the surface cover. Where possible, additional photographs should be provided as from the appended photographs in the current report.

For these reasons, Condition 7 cannot be discharged at this time.

Condition 8: - Remediation Strategy

In the absence of an approved Phase II report, it is unclear how officers can consider Condition 8 at this stage, as it has not been established whether the site has been correctly characterised, and if remediation is necessary.

Therefore, Condition 8 cannot be discharged at this time.

Condition 9-10: Development to be carried out in accordance with the Remediation Strategy and Validation

Since no remediation strategy has been submitted, nor has the absence of one been clearly justified, conditions 9-10 cannot be discharged at this time.

Yours faithfully

Mathias Franklin
Head of Planning and Development