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:	**2022/44/92925/W**
Site Address:	rear of, 10a & 10b, Grasmere Road, Gledholt, Huddersfield, HD1 4LH
Description:	Discharge condition 6 (Validation Report) on previous permission 2019/92458 for erection of 3 dwellings and replacement garage
Recommending Officer:	William Simcock

DECISION – Details submitted for condition 6 approved

I hereby authorise the 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: 01-Feb-2023

Officer Report 2022/92925
10a-10b Grasmere Road

This application relates to previous permission 2019/92458 for erection of three dwellings and a replacement garage.

The application seeks to discharge condition (6) as follows:

6. 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 for the whole site have been completed 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. **Reason**: To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and the guidance contained within the National Planning Policy Framework.

Assessment

Condition 6:
The following has been submitted:

- A Phase III: Remediation Strategy Report, by Sub Surface North East Limited dated January 2022 (ref: NE4123).
- Verification Report by Sub Surface North East Limited, dated August 2022 (ref:NE4123B)

Environmental Health's original comments were:

"We generally agree with the report's conclusions. However, the plan in the appendix of the Verification Report dated August 2022 (ref: NE4123B) shows a soft landscaped area at the front of Plot 3. In the Phase III: Remediation Strategy Report dated January 2022 (ref: NE4123) [paragraph 3.2.2] it was proposed that a 450mm blanket of clean topsoil (or topsoil and subsoil) will be placed in the small area of soft landscaping to the front of Plot 3. This does not appear to have been addressed by the validation report. We require the applicant to confirm the status of this area and the wider site."

A clarification note was submitted by email 23rd November. This explained that the small triangular areas to the front of the dwelling had been sealed with a textile membrane, concreted and finished off with gravel, since it was not considered cost-effective to lay down any kind of soft landscaping. The applicant's agent subsequently confirmed by telephone that the relevant areas had been laid with tarmac. Environmental Health comments are that the latest

supporting documents and information provide enough certainty to satisfy the condition requirements. It is therefore recommended that the condition can be discharged.

Decision notice text

Condition 6: (validation report)
The following has been submitted:

- A Phase III: Remediation Strategy Report, by Sub Surface North East Limited dated January 2022 (ref: NE4123).
- Verification Report by Sub Surface North East Limited, dated August 2022 (ref:NE4123B)
- Clarification note submitted by email 23rd November and subsequent photographs submitted 26th January 2023 showing that two small strips of land, whose status was previously unclear, had been laid with tarmac.

On the basis of the Remediation Strategy Report, Verification Report, and other supporting documents it is considered that the requirements of this condition are now satisfied. It is therefore recommended that the condition can be discharged.

Report Dated: 31-Jan-2023