

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:	2023/44/91011/W
Site Address:	120, Laund Road, Salendine Nook, Huddersfield, HD3 3TY
Description:	Discharge condition 9 (Validation Report) on previous permission 2019/90486 for demolition of existing dwelling and erection of 7 dwellings
Recommending Officer:	John Holmes

DECISION – DISCHARGE OF CONDITION 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.

West Team

AUTHORISED OFFICER

Date: 21-Jun-2023

DISCHARGE OF CONDITIONS

The merits of the application have previously been assessed under reference 2019/90486 and permission granted for demolition of existing dwelling and erection of 7 dwellings.

The applicant is now seeking to discharge condition 9 (Validation Report) on previous permission 2019/90486

ASSESSMENT

Condition 9 (Remediation)

This condition states the following: -

9. Following completion of any measures identified in the approved Remediation Strategy by Earth Environmental Report and Geotechnical Reference: A0697/19/RMS/V2 Dated April 2020 or any approved revised Remediation Strategy a Validation Report shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing with 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 Policies in the National Planning Policy Framework and to ensure that any contamination matters at the site are appropriately investigated, and mitigated against before development is commenced.

As part of this application the following has been submitted: -

- Final Verification Report (ref: NE3941G)
- Final Gas Membrane Installation Validation Report dated 14th February 2023

The reports summarise the remediation implemented across the site and confirm that the clean cover and ground gas protection measures have been installed in accordance with the agreed remediation strategy

It is noted that condition 9 for plots 3 & 4 have previously been discharge under application reference 2021/93275.

The Council's Environmental Health Team have been consulted and confirm that the submitted Final Verification Report for Plots 2-8 by Sub Surface North East Limited, dated March 2023 (ref: NE3941G) and Final Gas Membrane Installation Validation Report (Plots 2,5,6,7 & 8) by MEC Environmental Ltd, dated 14th February 2023 satisfy the requirements of Condition 9 and therefore Condition 9 can be discharged.

Having regard for the requirements of condition no9, and the submitted detail, as well as the response of the Council's Environmental Health Team, it is considered that the requirements of condition no.9 have been satisfied and the details submitted constitute a satisfactory Validation Report in respect of the approved remediation strategy referenced to within condition no.9.

DECISION LETTER TEXT

Condition 9

You have submitted the following: -

- Final Verification Report (ref: NE3941G)
- Final Gas Membrane Installation Validation Report dated 14th February 2023

The details submitted for this condition are considered to be acceptable and condition 9 is hereby discharged.