



Kirklees Council
Planning and Development Service
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Date: 22-Mar-2024
Our Ref: 2024/90281

Dear Sir,

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

**Discharge of condition 12 (Validation Report) on previous permission no.
2020/91375 for erection of 9 flats (within a Conservation Area)
Former Fire Station, Manchester Road, Marsden, Huddersfield, HD7 6HA
Application Number: 2024/90281**

I write with reference to your application to discharge the conditions for the above development as submitted on 01-Feb-2024.

You have submitted the following:

- A Remediation Validation report authored by Haigh Huddleston & Associates, dated 8th January 2024 (ref: E17/7092/MD/006A – Rev A)

Officer's raise concern with the submitted information due to:

1. The report concludes, "We would therefore conclude that the remediation of the site has been undertaken, and the risk to future site residents from the existing on-site contamination has been reduced to acceptable levels." However, it is noted that there are references in the report to additional work that is yet to be completed, such as the stockpiling of surplus fines and infill material on-site for later removal. Additionally, certain areas of the site are scheduled for tarmacking, and waste transfer tickets will be provided once available. From this alone, there is insufficient information to confirm the site has been made safe for occupation as it appears that the remediation work is incomplete.
1. Further to the above point, it is not considered that partial discharge of the validation report condition related to previous permission 2020/91375 appropriate. The condition relates to the whole of the site and throughout all stages of development, the Local Planning Authority (LPA) must ensure the submission of satisfactory reports demonstrating the site's safety

and suitability for its intended use. This is in accordance with Policy LP53 of the Kirklees Local Plan and paragraphs 189 and 190 of the National Planning Policy Framework.

2. The approved remediation strategy includes that Gas Holder 1 had already been removed however within the information submitted to discharge condition 12 it states that the complete removal of Gas Holder 1 was not possible. This matter requires clarification.
3. No information regarding Gas Holder 2 has been submitted. Additional clarification is required as it is anticipated that any validation report would conform that the site has been successfully remediated.
4. Regarding gas protection measures, the submitted photographs have no commentary provided and this is required for each photograph. Photographic evidence of ground gas protection measures should meet the requirement within The Yorkshire and Lincolnshire Pollution Advisory Group's Verification Requirements for Gas Protection Systems - Technical Guidance (v1.1) Dec 2016.
5. One of the photographs appears to display stripping/tears of the gas membrane, contradicting the information on the verification visual inspection list provided. Additional commentary is necessary for clarification and the information must confirm verification in accordance with best practice guidance including CIRIA C735.
6. The report refers to another validation document that Environmental Health do not appear to have had sight of. We require sight of this document to consider the discharge of Condition 12.

It is therefore concluded that at this stage, the LPA are unable to discharge condition 12 of application number 2020/91375 and the above points require clarification and additional information within the submission of a new application seeking to discharge the condition.

Yours faithfully

Mathias Franklin
Head of Planning and Development