

Consultation Response from: KC Environmental Health (Pollution & Noise Control)

2024/91178 - Cherry Tree Surgery, 132, Upper Commercial Street, Batley, WF17 5DH

Discharge conditions 6 (Remediation Works), 7 (Validation Report) on previous permission 2021/94474 for erection of single storey extension and formation of additional parking spaces (within a Conservation Area)

Date Responded:
13th May 2024

Responding Officer:
NH

Responding Ref:
WK/202413650

Conditions 6 and 7 – Remediation and Validation Report

Conditions 6 and 7 on previous permission 2021/94474 are to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 189 and 190 of the National Planning Policy Framework. The applicant must provide evidence demonstrating that the agreed remediation works have been fully completed to meet the requirements of these conditions.

A Completion Report for the Treatment of Mine Workings authored by Groundsmiths UK Ltd, dated 10th January 2024 (ref: GUK-0923-04/Rp-001) has been received in support of the application to discharge Conditions 6 and 7. The report is geotechnical in nature and outside the remit of Environmental Health. We note that the report describes the drilling and grouting of coal workings on-site.

Nonetheless, the report fails to confirm the completion of remediation works that were agreed as part of application 2023/91248. For these reasons, we recommend that Conditions 6 and 7 remain until further notice.

Recommendations

Conditions 6 and 7 – Remediation and Validation Report

We advise that Conditions 6 and 7 remain in place until further notice. Additionally, we recommend consulting the Coal Authority regarding the contents of the report, as it relates to geotechnical matters which are beyond the remit of Environmental Health.

Upon completion of the remediation works in accordance with the agreed remediation strategy, a validation report must be produced and submitted to the LPA for review and comments. At which point, Environmental Health should be consulted regarding the discharge of these conditions.