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:	**2025/44/91572/W**
Site Address:	Former Hoyle Ing Dyeworks, Manchester Road, Linthwaite, Huddersfield, HD7 5QS
Description:	Discharge of details reserved by condition 6 (Verification Report) on previous permission 2023/92033 for erection of 6 bungalows with ancillary staff area (within a Conservation Area)
Recommending Officer:	Nina Sayers

DECISION – Discharge of Condition 6 - Refused

I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 15-Oct-2025

Officer Report

Site Description

Site address – Former Hoyle Ing Dyeworks, Manchester Road, Linthwaite, Huddersfield, HD7 5QS

Proposal – Discharge of details reserved by condition 6 (Verification Report) on previous permission 2023/92033 for erection of 6 bungalows with ancillary staff area (within a Conservation Area).

Assessment

<u>Condition 6 – Verification Report</u>

Condition 6 reads as follows:

6. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person 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 have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

In support of the discharge of condition 6, the applicant has submitted:

- Phase 4: Validation Report (4th June 2025, C4065/25/E/7561)
- Phase 4: Gap Analysis Assessment & Validation (5th June 2025, C4065/25/E/7562)

The above reports have been reviewed by KC Environmental Health.

The first report (4th June 2025, C4065/25/E/7561) confirms the c. 25m3 of imported topsoil and 10m3 of imported quarried stone for the cover system. The fieldworks were undertaken on the 5th March 2025. The client had installed pipework at four select locations within the soft landscaping. Upon arriving at the site, the RGS representative removed the pipe to create a trial pit and collected representative soil samples. In addition, the report confirms a sample of the capillary break material was also collected from the representative

stockpile. A suite of testing was conducted on samples from across the site. The results were compared against the residential with plant uptake

Ground conditions were confirmed by RGS as topsoil (0.6m) over 0.6m plus depth of Type 1 material at all verification locations. The materials tested were considered as uncontaminated and suitable for the site end-use and RGS conclude that all areas of the site have been suitably capped in order to protect end users from lead contamination at the site and no further action is required.

The second report (5th June 2025, C4065/25/E/7562) covers the PAH hotspot and remediation. RGS explain that they understand that a VOC vapour barrier has not been installed; only a radon barrier has been implemented. RGS add that the buildings have been constructed upon a granular engineered layer (sub-grade). Moreover, a sub-floor void has been installed beneath the ground floors with numerous air bricks (vents) installed around the perimeter of the buildings. The buildings have been constructed above the area of TP11/HDTP11.

RGS have undertaken PID monitoring in the subfloor void of the eastern and western bungalows. No elevated VOC readings were detected and RGS consider this to suggest that the venting system beneath the floors are functioning as they should, or the source has diminished and/or removed. Internal monitoring was also undertaken in both buildings and no VOCs were detected. As such, RGS conclude that no further action is considered necessary and that there is a low risk to end users.

The above reports have been reviewed by KC Environmental Health and from the first report, it appears that verification pits and samples were taken in the soft landscaping marked as 'meadow grass planting'. They have requested that RGS confirm the placement of clean cover in public open space in the meadow area of the development. The second report is accepted.

Based on the professional judgement and evidence presented in the second report, this is accepted in support of the application to discharge the condition. However, until additional information is received it is unclear whether all agreed remediation measures have bene applied at the development, and therefore condition 6 must remain until further notice.

Decision Notice Text

Condition 6 must remain until further notice.

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If appropriate and acceptable information can be received within 6 weeks of the date of this letter it may be considered under this application. However, if this information is provided after this date, a new discharge of condition application will be required.