

**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: 2017/44/93628/E

Site Address: Land at Flockton Hall Farm, Barnsley Road, Flockton,
Huddersfield, WF4 4DW

Description: Discharge condition 8 (Remediation Strategy) on
previous permission 2016/92811 for erection of 46
dwellings and associated works including access,
public open space, landscaping, parking and ancillary
works

Recommending Officer: John Ritchie

DECISION – APPROVE DISCHARGE OF CONDITION

**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.**

Julia Steadman

AUTHORISED OFFICER

Date: 14-Nov-2017

2017/93628 - Officer Report

This application relates to planning permission for the erection of 46 dwellings at Flockton Hall Farm, Barnsley Road, Flockton – 2016/92811. The application seeks to discharge condition 8 as follows:

8. Development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: *This is a pre commencement condition as such information is required in order that proper account is taken of any contamination on the site in the interests of future occupiers of the site and the surrounding environment and to establish the exact situation with respect to the Coal Mining Legacy, in accordance with Policy G6 of the Kirklees Unitary Development Plan and chapter 11 of the National Planning Policy Framework.*

Assessment

The condition was imposed at the request of the Coal Authority and the Council's Pollution & Noise officer.

The Coal Authority note that whilst the Report does not specifically include a timetable for the implementation and completion of the proposed works, on the basis that all aspects of the proposals are considered acceptable, which ultimately will be dictated by the permit application, The Coal Authority would have no objections should the LPA be minded to discharge Condition 8.

The P&NO considers that the information is satisfactory.

DRAFT LETTER

You have submitted the following:

- Specification for Drilling and Grouting of Shallow Mineworkings reference SDL 3222 dated October 2017 by Sirius.
- Letter reference E14/6164/JM/007 dated 9 November 2015 from Haigh Huddlestone & Associates

These details are acceptable to discharge condition 8. Conditions 9 requires the agreed Strategy to be completed and condition 10 requires that to be validated as part of a separate application for discharge in the future.

Report Dated: 13 Nov-2017