

**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: 2017/44/93826/W

Site Address: Black Rock Mills, Waingate, Linthwaite, Huddersfield,
HD7 5NS

Description: Discharge conditions 15 (remediation strategy) and 16
(remediation strategy partial) on previous permission
2013/90853 for outline planning application for
erection of 236 dwellings and associated works with
appropriate vehicular and pedestrian access and
associated car parking spaces

Recommending Officer: John Ritchie

DECISION – Discharge of Conditions

I hereby authorise the approval of the discharge of conditions for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

AUTHORISED OFFICER

David Wordsworth

Date: 01-Feb-2018

2017/93826 - Officer Report

This application relates to outline planning permission for the erection of residential development at Black Rock Mills, Linthwaite – 2013/90853. The application seeks to discharge the following conditions:

15) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to Condition 14. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered (in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report) is identified or encountered on site, all works on site (save for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two working days. Unless otherwise agreed in writing with the Local Planning Authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: *To ensure that the development is safely completed in accordance with the requirements of Unitary Development Plan Policy G6.*

16) Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise agreed 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 ensure that the development is safely completed in accordance with the requirements of Unitary Development Plan Policy G6.*

Assessment

The application has been the subject of discussion between the applicant and the KC Pollution & Noise Officer to clarify the submitted information. This has now been resolved and the P&N Officer considers that the submitted details are satisfactory for plots 4-12 inclusive and 104-113 inclusive only. The applicant has clarified that they are applying for groups of plots as the development progresses and that this relates to the layout A698-002 rev S.

Decision Text

Condition 15 & 16

You have submitted the following:

- Photographs received 28 November 2017

- E-mail from Dunelm to you dated 9 November 2017 @ 10:50
- Your e-mail to me dated 13 December 2017 @ 09:19
- Analytical Test report from Chemtech dated 22 September 2017 reference 67346 D7101
- Validation report – Mercury Contamination from Dunelm dated 10 October 2017 reference D7101/MD
- Topsoil Testing & Validation report plots 6 & 7 from Dunelm dated 7 September 2017 reference D8091
- Topsoil Testing & Validation report plots 104 – 108 from Dunelm dated 26 June 2017 reference D8091
- Topsoil Testing & Validation Report plot 12 from Dunelm dated 10 October 2017 reference D8091
- Topsoil Testing & Validation for plots 104-108 from Dunelm dated 26 June 2017 reference D8091
- Certificate of Analysis by DETS reference 17-01239 dated 8 June 2017
- Topsoil Testing & Validation Report for plots 9 & 10 from Dunelm dated 28 September 2017 reference D8091.
- Sample acknowledgement for plots 4-8 inclusive by Chemtech dated 1 September 2017 reference 66897

These details are acceptable for the purposes of condition 15 and 16 for the plots identified in the individual documents only. The plot numbers refer to the layout plan A698-002 rev S.

Report Dated: 23-January 2017