



Planning and Development Service
Economy and Infrastructure
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Date: 22-Jan-2021
Our Ref: 2020/93563

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 conditions 4, 5, 6, 7 on previous permission 2020/91092 for demolition of existing dwelling (no 81 Common End Lane) to be replaced with a new detached dwelling
81, Common End Lane, Lepton, Huddersfield, HD8 0AF
Application Number: 2020/93563**

I write with reference to your application to discharge the conditions for the above development as submitted on 21-Oct-2020.

Refuse

Condition 7 (Remediation Strategy/Validation Report)

Whilst a Gas Monitoring letter by Rogers Geotechnical Ltd, dated 5th January 2021 (ref: C902/20/E/1438) was submitted by the applicant's agent in support of this condition. Environmental Health conclude that until the development has been completed and a validation report has been submitted and accepted, as per the requirements of Condition 7, then condition 7 cannot be discharged at this time as there is still a chance of unexpected contamination to become apparent. Condition 7 of 2020/91092 cannot therefore be discharged at this time.

Approve

Condition 4 (Ecological Design Strategy)

The listed details are considered to be acceptable for the purposes of Condition 4:

- Ecological Design Strategy (report reference: LC.CE.6.2020) dated 2nd November 2020, submitted alongside the discharge of conditions application (received 9th November 2020).

The condition will be partly satisfied upon the completion of the development in accordance with these details. There is an ongoing requirement within the condition stating that "features *shall be*

retained in that manner thereafter". This means that the strategy as approved and implemented will need to be retained in accordance with the maintenance schedule.

Condition 5 (Intrusive Site Investigations)

The listed details are considered to be acceptable for the purposes of Condition 5:

- Coal Investigation Report by Rogers Geotechnical dated 29th September 2020 (ref: C902/20/E/1438) submitted alongside the discharge of condition application (received on 21st October 2020);
- Gas Monitoring letter by Rogers Geotechnical Ltd, dated 5th January 2021 (ref: C902/20/E/1438) submitted alongside the discharge of condition application (received 5th January 2021).

Condition 5 of 2020/91092 can therefore be discharged.

Condition 6 (Remediation Scheme)

The listed details are considered to be acceptable for the purposes of Condition 6:

- Coal Investigation Report by Rogers Geotechnical dated 29th September 2020 (ref: C902/20/E/1438) submitted alongside the discharge of condition application (received on 21st October 2020);
- Gas Monitoring letter by Rogers Geotechnical Ltd, dated 5th January 2021 (ref: C902/20/E/1438) submitted alongside the discharge of condition application (received 5th January 2021).

Condition 6 of 2020/91092 can therefore be discharged; subject to the development being undertaken in accordance with the remediation scheme set out in the coal investigation report and later supplemented in the gas monitoring letter. This includes, as specifically referenced by the Coal Authority, the dwelling being constructed using raft foundations (as recommended in the report) which is designed by a suitably qualified and experienced person to adequately mitigate against shallow coal mining related ground movement.

Yours faithfully

Mathias Franklin
Head of Planning and Development