

**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:	2023/44/90168/E
Site Address:	Holly Hall, Jackson's Lane, Thornhill, Dewsbury, WF12 0LS
Description:	Discharge of conditions 3 (samples), 6 (Phase I Desk Study Report), 7 (Phase II Report), 8 (Remediation Strategy), 9 (remediation), 10 (Validation Report), 11 (intrusive investigations and remedial works) on previous permission 2022/92147 for demolition of existing dwelling and erection of detached dwelling and detached garage with office above
Recommending Officer:	Jennifer Booth

DECISION – DISCHARGE OF CONDITIONS - SPLIT DECISION

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

Emma Thompson

AUTHORISED OFFICER

Date: 27-Jan-2026

Officer Report - Discharge of Conditions Application

The application initially sought to discharge details reserved by conditions 3 (materials), 6 (phase 1), 7 (phase 2), 8 (remediation), 9 (validation) 10 (validation report), 11 (Intrusive investigation), on previous permission 2022/92147 for demolition of existing dwelling and erection of detached dwelling and detached garage with office above.

During the course of the submission, the agent has requested that conditions 9 & 10 are removed from the application and will be resubmitted at a later date.

Officer Assessment & wording for letter

Condition 3 – Materials

To discharge Condition 3, the agent has submitted a plan showing the proposed materials. The walls would be constructed using local Yorkshire pitched face stone with cast stone yorkstone heads, cills and jambs with accents of vertical cedar timber cladding. The roof would be covered with reproduction stone slates. The plans also show aluminium colour frames from the doors and windows. The use of these materials is considered to be appropriate in the setting and condition 3 can be considered to be discharged. The development shall be completed using the materials hereby approved.

Condition 6 – Phase 1

In support of the discharge of condition 6, a Phase 1 Environmental Desk Study Report by Geoinvestigate Ltd, dated January 2023, ref: G22504ahas been submitted. Environmental Health have reviewed the information in the phase 1 and are satisfied. Condition 6 can be considered to have been discharged.

Condition 7 – Phase 2

The Phase 2 Intrusive Site Investigation Report by Geoinvestigate, dated January 2023 (Ref: G22504b) and Gas Monitoring Addendum Report authored by Geoinvestigate dated May 2023 (ref: G22504) satisfy the requirements of Condition 7. Therefore, The information was reviewed by the Environmental Health team and has been accepted. Condition 7 can therefore be considered to have been discharged.

Condition 8 – Remediation Strategy

Condition 8 on previous permission 2022/92147 requires the submission and approval of a Remediation Strategy. Remediation is required at this site and a remediation strategy is therefore necessary. Therefore, Condition 8 cannot be discharged at this time, and shall remain until further information has been submitted to and assessed by the Local Planning Authority.

Condition 11 – Intrusive investigations

The Mining Remediation Authority reviewed the Phase 2 Intrusive Site Investigation Report (23 January 2023, prepared by Geoinvestigate Ltd), which accompanied this discharge of condition application. The Report confirmed that remedial measures are necessary in view of the voids encountered associated with mining at shallow depth. On account of the above, and on the basis that no confirmation is included of the implementation of the required remedial measures, the Authority has confirmed that the information is insufficient to recommend the discharge of Condition 11.

Recommendation – Split decision

Report Dated:

27/01/2026