

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:	2024/44/90573/W
Site Address:	Salendine Filling Station, New Hey Road, Salendine Nook, Huddersfield, HD3 3UZ
Description:	Discharge conditions 4 (Phase I Desk Study Report), 11 (CCTV), 12 (lighting) on previous permission 2023/91393 for demolition of existing sales building and erection of new sales building, installation of 3 new jet wash bays, electrical vehicle charging bays with associated infrastructure, de-link of existing forecourt canopy, and associated forecourt works
Recommending Officer:	Joanna Rednall

DECISION – DISCHARGE OF CONDITION APPROVED

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.

John Holmes

AUTHORISED OFFICER

Date: 06-Nov-2024

DISCHARGE OF CONDITIONS

Site: Salendine Filling Station, New Hey Road, Salendine Nook, Huddersfield, HD3 3UZ

Proposal: Discharge condition 4 (Phase I Desk Study Report,) on previous permission 2023/91393 (for demolition of existing sales building and erection of new sales building, installation of 3 new jet wash bays, electrical vehicle charging bays with associated infrastructure, de-link of existing forecourt canopy, and associated forecourt works).

The merits of the application have previously been assessed under reference 2023/91393 and permission granted for demolition of existing sales building and erection of new sales building, installation of 3 new jet wash bays, electrical vehicle charging bays with associated infrastructure, de-link of existing forecourt canopy, and associated forecourt works.

ASSESSMENT

Details in relation to Conditions 11 and 12 have previously been discharged in relation to CCTV and lighting. The applicant is now seeking to discharge Condition 4 (Phase I Desk Study Report).

Condition 4 (Phase I Desk Study Report)

4. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Reason: *This is a pre-commencement condition where such details are required before works commence to ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 183 and 184 of the National Planning Policy Framework.*

As part of this application the following has been submitted:-

- Phase 1 Environmental Site Assessment (ref: 427.009903.00001) on 27th February 2024.
- Email from applicant – dated 28th August 2024.

KC Environmental Health have been re-consulted on the above details and made the following concluding comments:

Further to our comments dated 2nd April 2024, we have received additional information from SLR, dated 28th August 2024. We accept the additional information provided and understand a watching brief for contamination will be in place during excavations.

We accept the information and recommend that Condition 4 is discharged. A watching brief must be adhered to throughout the construction process. As per condition 7, if unexpected contamination is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days.

Taking account of the response of the Environmental Health team and the content of the submitted Phase I report and email from the applicant which provides additional information and commentary, it is concluded that the scheme for Condition 4 is acceptable and in accordance with policy LP53 of the Kirklees Local Plan. This condition is therefore recommended to be discharged.

DECISION LETTER TEXT

You have submitted:

- Phase 1 Environmental Site Assessment (ref: 427.009903.00001) received 27th February 2024.
- Email dated 28th August 2024.

It is considered that the submitted information is acceptable for the purposes of discharging Condition 4.

Report dated: 04/11/2024