

**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:	2024/44/90916/E
Site Address:	2, Spencer Street, Skelmanthorpe, Huddersfield, HD8 9BE
Description:	Discharge of details reserved by conditons 10 (Remediation Strategy), 11 (Validation Report) of outline permission 2021/90105 for one detached dwelling
Recommending Officer:	Edward Cheseldine

DECISION – APPROVE DISCHARGE OF CONDITIONS

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 30-Apr-2024

Officer Report

2024/90916 - rear of, 2, Spencer Street, Skelmanthorpe, Huddersfield, HD8 9BE

Proposal Description

The applicant is seeking permission to discharge 10 (Remediation Strategy), 11 (Validation Report) of outline permission 2021/90105 for one detached dwelling.

Condition 10

10. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 9. 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 2 working days. 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 site can be made, safe and stable for the proposed development and remove unacceptable risks to human health, in accordance the aims of policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Assessment

Condition 10 relates to ensuring the safety of the site remains when the Remediation Strategy is being implemented. A Validation Report has been submitted within the relevant information. KC Environmental Health have recommended the discharge of Condition 11, therefore Condition 10 is no longer required.

Conclusion

Condition 10 is no longer required due to the submission of an adequate Validation Report and can be discharged.

Condition 11

11. 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 site can be made, safe and stable for the proposed development and remove unacceptable risks to human health, in accordance the aims of policy LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

Assessment

The following has been submitted by the planning agent;

- Images relating to soil remediation, submitted 03/04/2024
- Remediation Strategy, by RB Geotechnical, titled Development at Land Behind 34 Station Road, dated December 2023.
- Validation Report, by Rb Geotechnical, titled Validation Report for Contaminated Land Soil Remediation, dated December 2023
- Appendix Document, Soil Screening Values, submitted 03/04/2024
- Appendix Document, Photographs, titled Excavated Soft Landscaped Area, submitted 03/04/2024

KC Environmental Health were consulted on the adequacy of the submitted information. They concluded that the information was satisfactory and recommended Condition 11 for discharge.

Conclusion

Submitted information has been assessed by Environmental Health, Condition 11 can be discharged.

Decision Notice Text

Condition 10

Condition 10 is no longer required due to the submission of an adequate Validation Report and can be discharged.

Condition 11

Submitted information has been assessed by Environmental Health, Condition 11 can be discharged.