

**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:	2024/44/91213/W
Site Address:	Southgate/Leeds Road, Huddersfield, HD1 1TW
Description:	Discharge of condition 24 (Building 2 Remediation Strategy) of (phase 2 of) previous outline permission 2021/91544 for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/healthservices; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness
Recommending Officer:	Nick Hirst

DECISION – Discharge of Condition – Approve

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.

Victor Grayson

AUTHORISED OFFICER

Date: 01-Jul-2024

Application: 2024/44/91213/W

Site: Southgate/Leeds Road, Huddersfield, HD1 1TW

Proposal: Discharge of condition 24 (Building 2 Remediation Strategy) of (phase 2 of) previous outline permission 2021/91544 for erection of health and research innovation campus comprising: Class F1(a)-education; Class E(e)-medical/health services; Class E(g)(i)-offices; Class E(g)(ii)-research/development of products/processes; multi storey car park; Class E(a)-display/retail of goods; Class E(b)-sale of food/drink; Class E(d)-indoor sport/recreation/fitness

Assessment

Condition 24 (Remediation Strategy)

24. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition (CLC2) further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: *To ensure the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 178 and 179 of the National Planning Policy Framework*

The submitted strategy has been reviewed and accepted by K.C. Environmental Health, who requested the condition. See their consultation response dated 27/06/2024.

The Coal Authority have confirmed no objection to the proposal. See their consultation response dated 23/05/2024.

Officers support the conclusions of the consultees and recommend that the details be approved. Condition 24 has no ongoing requirement and therefore may be discharged in full, in so far as it relates to phase 2 of the original permission (as per the phasing strategy approved via DOC application 2022/91412 (pursuant to condition 4 (phasing plan))).

Notwithstanding the above, the conclusion of condition 24 activates the requirements of condition 25 (contamination validation report). It is recommended that a reminder of this be placed on the decision notice.

Recommendation: Approve Discharge of Condition (for phase 2).

Report Dated: 01/07/2024

Proposed Letter Text

Condition 24 (Remediation Strategy)

You have submitted the Remediation Strategy authored by Curtins (dated April 2024, ref: SG2-CUR-B2-XX-RP-G-00004 Revision P01) pursuant to condition 24, for phase 2 (only). The phases are as defined within the document 'Phasing, Design Code Context: Volume 2 – Phasing' which was approved via DOC application ref. 2022/91412, pursuant to condition 4 (Phasing Strategy) on 2021/91544.

The submitted details are considered acceptable and condition 24 is hereby discharged for phase 2 of the development.

Notwithstanding the above, the conclusion of condition 24 (for phase 2) activates the requirements of condition 25, which is repeated below for convenience:

25. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (CLC3). 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 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. 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 the safe occupation of the site in accordance with Policy LP53 of the Kirklees Local Plan.*