

**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:	2024/44/91304/E
Site Address:	Dewsbury Moor ARLFC, Heckmondwike Road, Dewsbury Moor, Dewsbury, WF13 3NU
Description:	Discharge conditions 6, 7 (Phase 2 Validation Report) on previous permission 2022/93672 for erection of detached single storey hospitality building
Recommending Officer:	Emma Thompson

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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 05-Jul-2024

Officer Report

Discharge of conditions 6 (remediation) and 7 (validation report) on previous planning permission 2022/93672

Condition 6 (remediation)

6. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (5). 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 and paragraph nos. 183 and 184 of the National Planning Policy Framework

Condition 7 (validation)

7. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Verification Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

Reason: 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.

Assessment:

A Validation Letter by Haigh Huddleston & Associates dated 16th January 2024 (ref: E23/8043/JF/002) has been received in support of the application to discharge Condition 6 (Remediation) and Condition 7 (Validation Report).

Environmental Health have been consulted on the submitted details.

The letter confirms that passive venting (a minimum 150mm, unobstructed void) and a gas membrane have been installed as part of the build, and HHA consider this to meet the requirements for a Characteristic Situation 2 Type B building, as per British Standard BS8485:2015+A1:2019.

The information provided is acceptable for the purposes of discharging the conditions, however, the applicant is required to confirm that no imported materials or soft landscaping has been introduced at the development as per the agreed plans.

Subject to confirmation as set out above outstanding matters are satisfied in accordance with Policy LP53 of the Kirklees Local Plan and the National Planning Policy Framework ensuring safe occupation of the site.

Letter Text

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Environmental Health have been consulted on the details submitted.

The letter confirms that passive venting (a minimum 150mm, unobstructed void) and a gas membrane have been installed as part of the build, and HHA consider this to meet the requirements for a Characteristic Situation 2 Type B building, as per British Standard BS8485:2015+A1:2019.

The information provided is acceptable for the purposes of discharging the conditions, and the applicant has confirmed that no imported materials or soft landscaping has been introduced at the development as per the agreed plans. The conditions can, therefore, be discharged.