



Kirklees Council
Planning and Development Service
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Enquiries to: Katie Chew

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Date: 04-Jun-2024
Our Ref: 2024/91312

Dear Madam

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

**Discharge conditions 5-10 on previous permission 2022/91532 for alterations to
existing agricultural barn to form one dwelling
land off, Wood Lane, Colnebridge, Huddersfield, HD5 0PX
Application Number: 2024/91312**

I write with reference to your application to discharge the conditions for the above development as submitted on 09-May-2024.

Condition 5 (Phase 1 Desk Study Report)

You have submitted the following details:

- Phase One Desk Study and Coal Mining Risk Assessment, authored by Rogers Geotechnical Services Ltd dated November 2023 (ref: C3637/23/E/5509), received 9th May 2024.

The submitted details are acceptable to satisfy the requirements of Condition 5, this condition is therefore discharged in full.

Condition 6 (Phase II Site Investigation Report)

You have submitted the following details:

- Phase 2 Geo-environmental Investigation authored by Rogers Geotechnical Services Ltd dated March 2024 (ref: C3637/23/E/5969), received 9th May 2024.

The submitted details outline that additional visits are required at the site in respect of gas monitoring and that a gas monitoring report covering the completed gas monitoring scheme should be submitted alongside a remediation strategy. Whilst ENVH Officers accept the report provided, as additional information is necessary to fully satisfy the requirements of the condition, Condition 6 must remain until further notice.

Should further information be received, within 28 days of this letter, in relation to condition 6, and consequentially further information in support of condition 7, these conditions would be re considered under this application. Otherwise, a new application to discharge these conditions would be required.

Condition 7 (Remediation Strategy)

No remediation strategy has been received in support of the application to discharge Condition 7. Therefore, Condition 7 must remain until further notice.

Should further information be received, within 28 days of this letter, in relation to condition 7, this condition would be re considered under this application. Otherwise, a new application to discharge this condition would be required.

Condition 8 (Revised Remediation Strategy)

No information has been submitted to discharge Condition 8. Unfortunately, as we are yet to agree a remediation strategy for the site, Condition 8 cannot be discharged and therefore shall remain until further notice. Officers support this conclusion drawn by ENVH officers.

A further submission to discharge the condition would be required, in due course.

Condition 9 (Validation Report)

No information has been submitted to discharge Condition 9. Unfortunately, until all groundworks have been completed Condition 9 cannot be discharged and therefore shall remain until further notice. Officers support this conclusion drawn by ENVH officers.

A further submission to discharge the validation report condition would be required, in due course.

Condition 10 (Noise Report)

You have submitted the following details:

- Noise Impact Assessment authored by ENS dated 10 October 2023 Ref NIA-11099-23-11289-v1 Woodlane Barn, Mirfield, received 9th May 2024.

The submitted details are acceptable to partly satisfy the requirements of Condition 10, however it is noted that Condition 10 does state that '*The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained*'. Therefore, the recommendations set out in the report must be undertaken before occupation and retained. Condition 10 remains in perpetuity.

Yours faithfully

Mathias Franklin
Head of Planning and Development