

**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:	2024/44/93510/E
Site Address:	10 & 12, Windmill Hill Lane, Emley Moor, Huddersfield, HD8 9TA
Description:	Discharge of details reserved by conditions 5 (boundary treatments), 7 (Phase II Intrusive Site Investigation Report), 8 (Remediation Strategy), 9 (Site Remediation), 10 (Verification Report), 13 (coal mining activity) on previous permission 2023/92732 for demolition of existing dwellings and erection of two detached dwellings
Recommending Officer:	Nicole Helliwell

DECISION – DISCHARGE CONDITION 10

I hereby authorise the approval of the discharge of condition no.10 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: 31-Jul-2025

Officer Report

Reference No. 2024/44/93510/E

Site Address: 10 & 12, Windmill Hill Lane, Emley Moor, Huddersfield, HD8 9TA

Proposal: Discharge of details reserved by conditions 5 (boundary treatments), 7 (Phase II Intrusive Site Investigation Report), 8 (Remediation Strategy), 9 (Phase II Intrusive Site Investigation Report), 10 (Verification Report), 13 (coal mining activity) on previous permission 2023/92732 for demolition of existing dwellings and erection of two detached dwellings

Assessment

Condition 10 – Verification Report

10. 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: *This pre-commencement condition is necessary 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 of Condition 10

A Verification Report by Groundsmiths Geotechnical Engineers (reference no. GUK-0225-01, dated 3rd March 2025) and a Generic Method Statement by Whitshaw Builders Ltd (dated 10th January 2025) has been received in support of the application to discharge Condition 10. Groundsmiths verified the remediation works in March 2025. Capping thickness exceeded the required 600mm at all test locations. Limestone aggregate was sourced from Cemex, and “premium topsoil” from K.E. Lunness Aggregates Ltd, Holme Hall Quarry. Environmental testing followed YALPAG guidance. Laboratory analysis showed all samples were below Generic Assessment Criteria for metals, metalloids, and PAHs and no asbestos was detected. The materials were deemed clean and suitable for residential use with home-grown produce. Groundsmiths confirmed correct placement of the clean cover system and concluded no further remediation is needed. The method statement supports the report.

It is considered that the submitted detail is sufficient for the LPA to discharge condition 10 and that based on the professional judgement of the report authors and the evidence and interpretations presented in the documents received the verification report submitted to address condition 10 satisfactorily addresses this condition which is therefore recommended to be discharged.

Decision Notice Text

Condition 10 – Verification Report

The following information has been submitted:

- Verification Report by Groundsmiths Geotechnical Engineers (reference no. GUK-0225-01, dated 3rd March 2025),
- Generic Method Statement by Whitshaw Builders Ltd (dated 10th January 2025)

Based on the professional judgement of the report authors and the evidence and interpretations presented in the documents received, the verification report submitted to address condition 10 satisfactorily addresses this condition which is therefore discharged.