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:	**2025/44/90588/E**
Site Address:	Crown Buildings, Scott Hill, Clayton West, Huddersfield, HD8 9PE
Description:	Discharge of details reserved by conditions 4 (Preliminary Risk Assessment) and 9 (Noise Report) of previous permission 2023/92695 for change of use and alterations to workshop to create two dwellings
Recommending Officer:	Emma Thompson

DECISION – Discharge of Conditions 4 and 9 - Approved

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: 23-Feb-2026

Officer report: 2025/90588
Application site: Crown Buildings, Scott Hill, Clayton West, Huddersfield
Proposal: Discharge of details reserved by conditions 4 (Preliminary Risk Assessment) and 9 (Noise Report) of previous permission 2023/92695 for change of use and alterations to workshop to create two dwellings

Assessment:

Condition 4 (Preliminary Risk Assessment) is worded as follows:

4. Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

In support of the discharge of condition 4, a Phase I Desk Study Report by RB Geotechnical, dated February 2025 has been submitted. The application has been referred to KC Environmental Health for comment.

The report includes geotechnical information which is outside the remit of Environmental Health. This consultation response therefore only relates to the land contamination aspects of the report.

It is unclear if a site walkover has been conducted at the site. The development is described as “existing workshop building is to be converted into two semi-detached residential dwellings, with small, grassed gardens and a shared driveway”.

The site history and its surroundings have been listed within section 2 from 1854. The report informs the site has contained a building from that period with development in the wider vicinity including gas works, railway station, Prak Mill Colliery and reservoir. The buildings to the western boundary of site are not shown on later maps potentially indicating some demolition to site and made ground.

Geological information informs; the site is underlain by bedrock of the Pennine Lower Coal Measures, Sandstone, Siltstone and Mudstone. Nearby historical BGS borehole data show intact bedrock at a depth of around 0.50mbgl. A Coal Seam is mapped directly along the Western site boundary, with another seam mapped from 203m to the South.

A preliminary conceptual site model is presented in table 9.5 attributing a moderate risk in relation to several potential source pathway receptor links identified.

Whilst KC Environmental Health are unclear if a site walkover has been undertaken to inform the report, they are satisfied that the report author has concluded an intrusive investigation as necessary, including gas monitoring. They anticipate any intrusive investigations will be conducted, following good practice guidance and remind the applicant they will only consider full monitoring results in any future reports.

Based on the professional judgement of RB Geotechnical expressed within the Phase I Desk Study Report, dated February 2025, there are no objection to the discharge of the condition 4.

It should be noted where a site is affected by contamination, the responsibility for securing a safe development rests with the developer and/or landowner.

As such Condition 4 can be discharged.

Condition 9 (Noise report):

9. Before construction work commences a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development including road traffic shall be submitted to and approved in writing by the Local Planning Authority. The report shall: a) Determine the existing noise climate b) Predict the noise climate in living rooms and gardens (daytime), bedrooms (night-time) and other habitable rooms of the development c) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required). 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.

The applicant has submitted a Noise Assessment authored by Clement Acoustics dated the 28th of January 2026 Ref 20747-EBF-01-AA-R0 which references the requirements of the condition.

A Noise Survey was undertaken from two monitoring positions as shown on indicative site drawing 20747-SP1 and a summary of the findings is given in table 5.3 with corrections for reflections. Comment has been made that the background noise climate was dominated by road traffic and pedestrian noise from Scott Hill and that no noise was noted from the industrial building located approximately 40 m north-west of the site.

Based upon reasonable assumptions on the construction and materials, the report recommends glazing and ventilation to ensure the internal

requirements of BS8233 are met. The external amenity areas meet with the external requirements of BS8233 and no mitigation is required.
The submitted information is accepted.

The details are sufficient for the purpose of discharging the condition. The development should be completed in accordance with the details set out including incorporating the mitigation however, it cannot be discharged until the measures recommended are incorporated into the scheme and should be retained thereafter.

Decision Notice Text

Condition 4 (Preliminary Risk Assessment)

Based on the professional judgement of RB Geotechnical expressed within the Phase I Desk Study Report, dated February 2025, Condition 4 can be discharged.

Condition 9 (Noise report)

The details are sufficient for the purpose of discharging the condition. The development should be completed in accordance with the details set out including incorporating the mitigation however, it cannot be discharged until the measures recommended our incorporated into the scheme and should be retained thereafter.