

**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:	2025/44/91241/W
Site Address:	Various locations - A629, Halifax Road, Huddersfield
Description:	Discharge of details reserved by condition 16 (Remediation Strategy) on previous permission 2021/92734 for improvement and widening of the A629 to include junction improvements, re-positioning of footways and footway improvements, pedestrian crossing provision, alteration, demolition and erection of walls, construction of retaining walls, erection of fencing, hard and soft landscaping to include removal of trees and replacement planting, replacement street lighting, change of use of land to highway and change of use to and formation of car park on land adjoining 103 Halifax Road (within a Conservation Area)
Recommending Officer:	William Simcock

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.

Nicholas Hirst

AUTHORISED OFFICER

Date: 16-Jun-2025

Application reference: 2025/91241

Site: Various locations - A629, Halifax Road, Huddersfield

Proposal: Discharge of details reserved by condition 16 (Remediation Strategy) on previous permission 2021/92734 for improvement and widening of the A629 to include junction improvements, re-positioning of footways and footway improvements, pedestrian crossing provision, alteration, demolition and erection of walls, construction of retaining walls, erection of fencing, hard and soft landscaping to include removal of trees and replacement planting, replacement street lighting, change of use of land to highway and change of use to and formation of car park on land adjoining 103 Halifax Road (within a Conservation Area).

Assessment

Condition 16 (Remediation Strategy)

16. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 15 further material operations 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. 183 and 184 of the National Planning Policy Framework. The purpose of this pre-commencement condition is to ensure that land is remediated appropriately for safe use by the public.*

The following has been submitted pursuant to condition 16:

- Remediation Strategy Statement S12427-JNP-XX-XX-RP-G-0003-P01 RMS Area D;
- Remediation Strategy Statement S12427-JNP-XX-XX-RP-G-0004-P01 RMS Area C, and;
- A Technical Note, reference S12427-JNP-XX-XX-TN-G-1008.

The above condition was imposed on the advice of KC Environmental Health, who have reviewed the submitted details and provided comments within their consultation response dated 11/06/2025. In summary, they conclude that the submitted details are acceptable and recommend that the details be approved.

It is noted that the details submitted pursuant to condition (16) do not contain a timetable for implementation, per the condition wording. Notwithstanding this, the shortcoming is not considered significant since conditions (17) and (18) contain the requirement that the Remediation Strategy is implemented, and that

proof of remediation (a validation report) be submitted to the Local Planning Authority before any part of the site is brought into use.

As the condition has no ongoing requirements, it can be discharged in full. However, given the findings of the submitted reports, the requirements of condition (17) and (18) would activate. It is recommended that these conditions be noted on the decision notice, for the convenience of the applicant and other readers.

Recommendation: Approve details

Report Dated: 16/06/2025

Proposed Letter Text

Condition 16 (Remediation Strategy)

You have submitted the following details pursuant to condition 16:

- Remediation Strategy Statement S12427-JNP-XX-XX-RP-G-0003-P01 RMS Area D;
- Remediation Strategy Statement S12427-JNP-XX-XX-RP-G-0004-P01 RMS Area C, and;
- A Technical Note, reference S12427-JNP-XX-XX-TN-G-1008.

I can confirm that the submitted details are acceptable and condition 16 is hereby discharged.

Notwithstanding the above, the applicant is reminded that conditions 17 and 18 contain the requirement that the site is remediated in accordance with the details contained within the Remediation Strategy hereby approved (condition 17), and that a Validation Report is submitted to and approved in writing by the Local Planning Authority (condition 18) before any part of the site is brought into use.