

Kirklees Council  
Planning and Development Management

May 2025

Dear Sir / Madam

**The Old Tannery, Spen Lane, Gomersal, Cleckheaton, BD19 4PJ**

On behalf of the applicant, please find enclosed an application that seeks to discharge Condition 8 (Remediation Strategy) and Condition 9 (Validation Report), which were formally attached to Decision Notice 2024/91443. This application was approved on 17th July 2024 and the Decision Notice has been submitted for completeness.

**Background**

**Condition 8 reads:**

*Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 7. 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.*

**Condition 9 reads:**

*Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report 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 (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in stages for different areas of the whole site, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority.*

**Summary**

Prepared by RGS, a Remediation Strategy and Validation Report has been submitted, and the findings have previously been accepted by the Council.

In December 2024, an application (app ref: 2024/44/93471/E) seeking to discharge Condition 8 and Condition 9 was refused by the Council. The Officer's Report attached to the refusal concludes:

**Managing Director**  
Helen Cuthbert

**Directors**  
Stuart Slatter | Claire Temple | Alastair Close  
Dan Templeton | Elliot Jones | Katie Turvey

**Consultant**  
Lorna Byrne

**Associate Directors**  
Heather Vickers | Sam Deegan | Niall Hanrahan | Rob Scadding | Paul Galgey

**Associates**  
Charlotte Hunter | Charlotte Perry | Grace Beeby | Charlotte Parry | Jamie Pert  
Sam Elliott | Katia Clarke | Will Rogers

*We accept the revised Phase 3 and Phase 4 Report authored by RGS dated August 2024 (ref: C3920/24/E/6934). However, as the gas monitoring report is considered insufficient, it has not been demonstrated that the remediation of the site has been carried out in accordance with the remediation strategy'.*

The report has subsequently been updated (and submitted) with additional surveys and, in the spirit of thoroughness, been peer reviewed by another third-party consultant in this field of work. This peer review has also been submitted as part of this application.

We trust the above information is sufficient to validate the application and await confirmation of this. Should you have any queries please do not hesitate to contact me on the number below.

Yours sincerely

Will Rogers

Associate

**Planning Potential**

Harrogate