

**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:	2025/44/91415/E
Site Address:	Shelley Lodge, 2, Box Ings Lane, Shelley, Huddersfield, HD8 0SU
Description:	Discharge of details reserved by condition 6 (Phase II Report) on previous permission 2021/92355 for alterations and extension to existing stables to create dwelling
Recommending Officer:	Nicole Helliwell

DECISION – DISCHARGE OF CONDITION 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.

John Holmes

AUTHORISED OFFICER

Date: 30-Apr-2026

Officer Report

Reference No. 2025/44/91415/E

Site Address: Shelley Lodge, 2, Box Ings Lane, Shelley, Huddersfield, HD8 0SU

Proposal: Discharge of details reserved by condition 6 (Phase II Report) on previous permission 2021/92355 for alterations and extension to existing stables to create dwelling

Assessment

Condition 6 – Phase II Report

This condition states the following:

6. Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 5 development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and in writing by the Local Planning Authority.

Reason: *To identify and remove unacceptable risks to human health, hazards and land contamination and coal mining risk in accordance with Policy LP 53 of the Kirklees Local Plan and the Chapter 15 of the National Planning Policy Framework. This is a pre-commencement condition as it could affect the method of construction of the development.*

Assessment of Condition 6

In KC Environmental Health's previous comments dated November 2025, officers required additional information regarding gas monitoring and contamination. A letter titled 'Additional Gas Monitoring and Hot-spot Contamination Testing' by RGS (reference no. C3044/26/E/9192, dated 6th March 2026) has been submitted in support of the application to discharge condition 6.

The consultant confirms that additional gas monitoring in December 2025, has now captured worst case conditions. The site has been characterised as Characteristic Situation Level 1 (CS1). A timeline of events at site and additional information from the developers is listed. Further sampling and additional commentary is presented, the consultant concludes the hotspot has been delineated and an updated conceptual site model is presented in table 4, indicating a risk rating of low or not applicable.

On the basis of the professional judgement of the report author and the evidence and interpretations presented in the Phase 2 Environmental Report authored by RGS (30th April 2025, C3044/25/E/7662), the Updated Conceptual Site Model & Risk Assessment Letter prepared by RGS (dated 17th September 2025, reference no. C3044/25/E/8416) and the Clarification and further investigation letter titled 'Additional Gas Monitoring and Hot-spot Contamination Testing' by RGS (reference no. C3044/26/E/9192, dated 6th March 2026), KC Environmental Health have no objection to the discharge of condition 6.

Decision Notice Text

Condition 6 – Phase II Report

The following information has been submitted:

- Phase 2 Environmental Report authored by RGS (dated 30th April 2025, reference no. C3044/25/E/7662),
- Updated Conceptual Site Model & Risk Assessment Letter authored by RGS (dated 17th September 2025, reference no. C3044/25/E/8416)
- Additional Gas Monitoring and Hot-spot Contamination Testing authored by RGS (reference no. C3044/26/E/9192, dated 6th March 2026)

The submitted details are considered acceptable for the purposes of Condition 6 and the condition is satisfied and discharged on the basis of the submitted information.