

**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:	2025/44/91999/W
Site Address:	North Huddersfield Trust School, Woodhouse Hall Road, Fartown, Huddersfield, HD2 1DJ
Description:	Discharge of details reserved by conditions 4 (Remediation implementation and unexpected contamination) and 5 (Verification Report) of previous permission 2023/90509 for erection of 2 storey, 5 classroom teaching block including toilet facilities and staff / store rooms
Recommending Officer:	Elenya Jackson

DECISION – DISCHARGE OF CONDITION REFUSED

I hereby authorise the refusal 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: 08-Dec-2025

Officer Report

North Huddersfield Trust School, Woodhouse Hall Road, Fartown, Huddersfield, HD2 1DJ

Discharge of details reserved by conditions 4 (Remediation implementation and unexpected contamination) and 5 (Verification Report) of previous permission 2023/90509 for erection of 2 storey, 5 classroom teaching block including toilet facilities and staff / store rooms

Condition 4

Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (3). In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in the Phase 1 Environmental Desk Study by Rogers Geotechnical Ltd dated June 2022 (ref: C1349/22/EE/3839), Phase 2 Geo-Environmental Report by Rogers Geotechnical Services Ltd, dated July 2022 (ref: C1349/22/E/3843) or Gas Monitoring Report by Rogers Geotechnical Services dated September 2022 (ref: C1349/21/E/GM) 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.

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.

Condition 5

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: 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

Condition 4

The following details have been submitted:

1. GeoShield Verification Plan (GEO105226)
1. Gas Protection Verification Declaration (25-J6001)
2. GeoShield Verification Report 1 (GEO105226)
3. GeoShield Verification Report 2 (GEO105226)
4. Verification Certificate by Geoshield (14th April 2025)

The details provided have been reviewed; however, this condition has previously been reviewed under application 2024/92612 for 'Discharge of details reserved by conditions 3 (Remediation Strategy), 4 (Remediation implementation and unexpected contamination), 6 (noise), 7(CEMP), 10 (Arboricultural Method Statement), 11 (BEMP), 12 (planting) and 13 (Green Roof System) of previous permission 2023/90509 for erection of 2 storey, 5 classroom teaching block including toilet facilities and staff / store rooms'.

This was assessed as:

'Condition 4 is an ongoing requirement that cannot be discharged until all groundworks have been completed, which is not the case. Therefore, Condition 4 cannot be discharged and therefore shall remain until further notice. Condition 4 is therefore not discharged'.

As works have not finished on site, this condition cannot be discharged at this time.

Condition 5

The following has been submitted:

- GeoShield Verification Plan (GEO105226)
- Gas Protection Verification Declaration (25-J6001)
- GeoShield Verification Report 1 (GEO105226)
- GeoShield Verification Report 2 (GEO105226)
- Verification Certificate by Geoshield (14th April 2025)

The details have been reviewed by KC Environmental Health and the following comments have been made:

'Environmental Health acknowledge receipt of the five submitted documents. However, we request clarification regarding the application of gas protection measures in the basement area where Grade 2 waterproofing was initially proposed in the approved RGS Remediation Strategy report. For instance, the Geoshield reports state that waterproofing elements fall outside the remit of the pre-verification plan and any future inspection, which leaves uncertainty as to how gas protection has addressed/verified in this location'.

Therefore, there is insufficient information for the purpose of discharging condition 5.

Decision notice text

Condition 4

The following details have been submitted:

5. GeoShield Verification Plan (GEO105226)
6. Gas Protection Verification Declaration (25-J6001)
7. GeoShield Verification Report 1 (GEO105226)
8. GeoShield Verification Report 2 (GEO105226)
9. Verification Certificate by Geoshield (14th April 2025)

As works have not finished on site, this condition cannot be discharged at this time.

Condition 5

The following has been submitted:

- GeoShield Verification Plan (GEO105226)
- Gas Protection Verification Declaration (25-J6001)
- GeoShield Verification Report 1 (GEO105226)
- GeoShield Verification Report 2 (GEO105226)
- Verification Certificate by Geoshield (14th April 2025)

The details have been reviewed by KC Environmental Health and the following comments have been made:

'Environmental Health acknowledge receipt of the five submitted documents. However, we request clarification regarding the application of gas protection measures in the basement area where Grade 2 waterproofing was initially proposed in the approved RGS Remediation Strategy report. For instance, the Geoshield reports state that waterproofing elements fall outside the remit of the pre-verification plan and any future inspection, which leaves uncertainty as to how gas protection has addressed/verified in this location'.

Therefore, there is insufficient information for the purpose of discharging condition 5.