

**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:	<b>2025/44/92119/W</b>
Site Address:	Stone Pit Hall, Snowgate Head Lane, New Mill, Holmfirth, HD9 7DH
Description:	Discharge of details reserved by conditions 9 (approved Remediation Strategy) and 10 (Validation Report) of previous permission 2021/93034 for change of use of land to extend domestic garden, demolition of three detached garages, regrading of land and erection of detached garage/workshop, demolition of attached garage and erection of two storey extension and alterations
Recommending Officer:	Nicole Helliwell

**DECISION – Discharge of Conditions 9 and 10 - 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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date: 01-Oct-2025**

## **Officer Report**

**Reference No.** 2025/44/92119/E

**Site Address:** Stone Pit Hall, Snowgate Head Lane, New Mill, Holmfirth, HD9 7DH.

**Proposal:** Discharge of details reserved by conditions 9 (approved Remediation Strategy) and 10 (Validation Report) of previous permission 2021/93034 for change of use of land to extend domestic garden, demolition of three detached garages, regrading of land and erection of detached garage/workshop, demolition of attached garage and erection of two storey extension and alterations

## **Assessment**

### **Condition 9 - Approved Remediation Strategy**

*9. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 8. 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.*

**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 10 - Validation Report**

*10. Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation 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 Validation 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 of Condition 9 and 10

In support of the discharge of conditions 9 and 10, two documents by Eight One Two Architects (reference no. 21\_ 803 Stone Pit Hall Holmfirth) have been submitted. Whilst the documents set out the planning history for the site, confirming the discharge of the remediation strategy, they only provide 3 photographs for the purpose of discharging the remaining contaminated land conditions. KC Environmental Health require the submission of a verification report authored by a competent person in order to fully satisfy the conditions, demonstrate that no unexpected contamination has been encountered during the development and that all the items required within the approved remediation strategy have been completed and checked by a competent individual. On this basis, officers are unable to recommend the discharge of conditions 9 & 10 and as such, they must remain until further notice.

#### **Decision Notice Text**

##### Condition 9 – Approved Remediation Strategy

The following information has been submitted:

- Planning Conditions by Eight One Two Architects (reference no. 21\_ 803 Stone Pit Hall Holmfirth)

KC Environmental Health do not accept the submitted information and object to the discharge of condition 9. Therefore, Condition 9 must remain until further notice.

##### Condition 10 – Validation Report

The following has been submitted:

- Planning Conditions by Eight One Two Architects (reference no. 21\_ 803 Stone Pit Hall Holmfirth)

KC Environmental Health do not accept the submitted information and object to the discharge of condition 10. Therefore, Condition 10 must remain until further notice.

