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Date: 27/01/2026
Our Ref: 2025/93061

Dear Sir/Madam

**Application for Approval of Details Reserved by Condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

Discharge of details reserved by conditions 14 (phasing plan), 15 (CEMP: Biodiversity), 20 (phase 2 site investigation), 21 (remediation strategy), 22 (remediation implementation), 23 (validation report), 24 (drainage infrastructure in highway), 25 (retaining walls) and 26 (coal legacy) of previous permission 2025/90105 for variation of conditions 6 (PROW), 9 (boundary treatment), 38 (bin collection), 40 (car parking) and 41 (access) of previous outline permission 2022/91735 (with access and layout) for erection of 80 dwellings and associated work

Land off Hermitage Park, Lepton, Huddersfield, HD8 0JU

Application Number: 2025/93061

I write with reference to your application to discharge the conditions for the above development as submitted on 31/10/2025.

Summary

Details are hereby approved pursuant to conditions 14, 15, 20 and 25 (subject to advice). No approval can be issued at this stage pursuant to conditions 21, 22, 23 and 24. No approval is necessary pursuant to condition 26.

Condition 14 (phasing plan) – You have submitted a Construction (Environmental) Management Plan (rev 04, SLR, 410.066985.00001, 02/12/2025) pursuant to condition 14. This includes phasing information which is considered acceptable for the purpose of

condition 14, and is hereby approved. Please be reminded of the ongoing requirement of condition 14, which states:

The development shall be implemented in accordance with the approved phasing plan.

Condition 15 (CEMP: Biodiversity) – You have submitted a document titled “Report to discharge conditions 8, 15 and 27” (SLR, 424.065417.00001, rev 2) pursuant to condition 15. Details set out therein are considered acceptable for the purpose of condition 15, and are hereby approved. Please be reminded of the ongoing requirement of condition 15, which states:

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

For the avoidance of doubt, please note that, notwithstanding the title of the submitted document, no approval is hereby issued pursuant to conditions 8 and 27.

Condition 20 (phase 2 site investigation) – You have submitted the following documents pursuant to condition 20:

- Gas Risk Assessment Letter Report (Sirius, C10281/GLH/10855, 11/04/2025)
- Supplementary Geoenvironmental Appraisal Report (Sirius, C10281, December 2024)
- Phase 2 Ground Investigation (FWS, 3959OR01, rev 03, 22/01/2024)

Details set out in the above-listed documents are considered acceptable for the purpose of condition 20, and are hereby approved.

Condition 21 (remediation strategy) – Your covering letter of 28/10/2025 states that the same documents submitted pursuant to condition 20 are also relevant to condition 21. However, no remediation strategy had been submitted pursuant to condition 21, and condition 21 must therefore remain undischarged. A remediation strategy is indeed needed – this would need to include the measures set out within the above-listed reports, including the finalised gas protection, as well as measures and information regarding the control of export/import of materials to site.

For the avoidance of doubt, please be advised that condition 21’s requirements remain outstanding. Please submit the required remediation strategy within three weeks of this letter. After that period, a new Discharge of Conditions application would need to be submitted.

Condition 22 (remediation implementation) – Your covering letter of 28/10/2025 states that the same documents submitted pursuant to condition 20 are also relevant to condition 22. Condition 22 requires the implementation of the remediation strategy approved pursuant to condition 21, and as no such remediation strategy has been submitted or approved yet, condition 22 must remain undischarged. Please also note that condition 22 includes the potential for unexpected contamination being found during construction, and that the condition must therefore remain undischarged until construction is completed.

For the avoidance of doubt, please be advised that condition 22's requirements remain outstanding.

Condition 23 (validation report) – Your covering letter of 28/10/2025 states that the same documents submitted pursuant to condition 20 are also relevant to condition 23. However, no validation report had been submitted, and condition 23 must therefore remain undischarged.

For the avoidance of doubt, please be advised that condition 23's requirements remain outstanding. You are advised to submit a new Discharge of Conditions application (seeking approval of details pursuant to condition 23) at a later stage, once remediation works have been completed.

Condition 24 (drainage infrastructure in highway) – You have submitted the following drawings pursuant to condition 24:

- 1223-102 rev B Section 104 Layout
- 1223-105 Long Section Sheet 1
- 1223-106 Long Section Sheet 2
- 1223-107 Long Section Sheet 3
- 1223-108 Long Section Sheet 4
- 1223-109 rev A Long Section Sheet 5
- 1223-110 rev A Long Section Sheet 6
- 1223-114 Attenuation Basin Details Basin 1
- 1223-115 Attenuation Basin Details Basin 2
- 1223-122 Standard Drainage Details

You are advised that no approval pursuant to condition 24 can be issued at this stage, that the condition's requirements remain outstanding, and that matters will be progressed as and when a technical approval of the design of the proposed oversize manholes located in the highway is applied for, considered and approved.

Condition 25 (retaining walls) – You have submitted two drawings (1223-150 rev C External Works Sheet 1 and 1223-151 rev B External Works Sheet 2) pursuant to condition 25. Details set out in these drawings are considered acceptable for the purpose of condition 25, and are hereby approved.

Condition 26 (coal legacy) – Condition 26 is a compliance condition requiring no submission of details to the council as Local Planning Authority. However, you have submitted a Potential Shallow Mining Roadway Investigation (Sirius, SDL4480A/NJI/002, 11/09/2025) pursuant to condition 26.

In comments dated 25/11/2025, the Mining Remediation Authority (formerly the Coal Authority) included the following concluding commentary:

As the applicant's technical consultants have confirmed that there are no treatment works / mitigation works necessary, the requirements of the condition [26] would therefore appear to have been met. However, we wish to comment that we would expect the need for the stabilisation of shallow mine workings to be reassessed should deep foundations be proposed, such as piled foundations, as these may result in a reduction in the amount of competent cover over the workings to the base of the foundations.

Ultimately, the above matters need to be addressed as part of the statement/declaration required under condition 36 which should confirm that the site is, or has been made, safe and stable in terms of coal mining legacy for the approved scheme of development.

The council has no concerns regarding the details submitted pursuant to condition 26, however no formal approval or discharge is hereby granted (as condition 26 requires no submission of details to or approval by the council). Please be reminded of the outstanding requirements of the related condition 36.

Yours faithfully

Victor Grayson

Victor Grayson, Development Management Masterplanner
for Mathias Franklin, Head of Planning and Development