

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:	2026/44/90441/W
Site Address:	Huddersfield Bus Station, Upperhead Row, Huddersfield, HD1 2JN
Description:	Discharge of details reserved by conditions 11 (bins), 15 (BEMP), 22 (Phase II Intrusive Site Investigation Report) on previous permission 2025/91604 for variation condition 2 (plans) on previous permission 2024/92302 for refurbishment comprising (phase 1): facade improvements including Henry Street entrance; replacement shop fronts; alterations to external bus apron; extension and alterations to existing barrier within the bus alighting lane adjacent to Henry Street; (phase 2): new entrance canopy; public realm improvements; cycle hub; facade improvements including replacement shop fronts
Recommending Officer:	Liz Chippendale

DECISION – Discharge of condition – Approve

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.

Nick Hirst

AUTHORISED OFFICER

Date: 14-Aug-2026

Application: 2026/90441

Site: Huddersfield Bus Station, Upperhead Row, Huddersfield, HD1 2JN

Proposal: Discharge of details reserved conditions 11 (bins), 15 (BEMP), 22 (Phase II Intrusive Site Investigation Report) on previous permission 2025/91604 for Variation condition 2 (plans) on previous permission 2024/92302 for refurbishment comprising (phase 1): facade improvements including Henry Street entrance; replacement shop fronts; alterations to external bus apron; extension and alterations to existing barrier within the bus alighting lane adjacent to Henry Street; (phase 2): new entrance canopy; public realm improvements; cycle hub; facade improvements including replacement shop fronts

Overview

A split decision was issued on 22/07/2026 with the following position:

- Details approved: Condition 11 (Bins) and Condition 15 (BEMP)
- Details refused: Condition 22 (Phase II Intrusive Site Investigation Report)

Further discussions were ongoing relating to condition 22 at that time. This report therefore relates to condition 22 only.

Condition 22 (Phase II)

22. Groundworks as approved for phase two as shown on plan 202335-SGP-ZZ-ZZ-DR A-131105 Rev P01 Combined Phasing (other than those required for a site investigation report) shall not commence until a supplementary Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and 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. 189 and 190 of the National Planning Policy Framework. This is a pre-commencement condition to ensure that a site investigation report identifying any potential risks to the development of future users is completed prior to work commencing on site.*

The following details have been submitted:

- HBSC-BWB-XX-XX-T-G-0001-Ph2 – Phase II Intrusive site investigation report
- HBS-BWB-XX-XX-T-G-0012_GDR_P01 (Complete) – Phase II intrusive site investigation report
- C5244 – Factual report – Phase II Intrusive site investigation report
- 2026-90441_HuddersfieldBusStation_BWB EH Response

- Technical Note prepared by BWB Consulting (Ref: 221692 P01)

Consultee response

KC Environmental Health comments dated 19/05/2026:

We are informed fieldworks were undertaken between the 12th & 14th, and 17th & 18th June 2025. They included two windowless sample boreholes with rotary core and rotary open-hole follow-on, with, Installation of two monitoring standpipes. The report explains, a third borehole was not undertaken due to time constraints. Good practice guidance advises a minimum of 3 investigation points and 3 monitoring locations where a gas risk has been identified.

Strata conditions revealed; made ground including cobbles with bituminous binding, lower coal measures, coal and a void at location BH01, which the report considers indicates worked coal.

8 soil samples and 2 leachate samples were retrieved and sent for analysis. Asbestos was not detected. BH01 sample showed exceedances of several PAHs within made ground which has been attributed to the bituminous material present. We are informed site personal risk during construction will be mitigated using standard health and safety PPE, we require additional commentary in relation to future site users as the report author has assumed full hard landscaping. Plan number 221655-PEV-XX-00-DR-L-0301, shows at least 2 areas of soft landscaping. Thus the report has not considered these areas.

The gas monitoring to date is provided within the RGS factual report BH01 has two results on two dates, BH03 appears to have two inconclusive results as on the first visit the gas tap was open and on the second visit silt was present on the dip meter. In addition to the inadequate monitoring no visits were undertaken during periods of atmospheric pressure below 1000mb, worst case scenario has not been demonstrated. The consultant should indicate within the report the relevance of gas monitoring in relation to the proposed development, i.e. are enclosed spaces part of the proposal. Good practice guidance must be followed and we anticipate full monitoring results and associated commentary in an updated report.

For the reasons given above we are unable to recommend the discharge of condition 22 at this time.

The document Technical Note prepared by BWB Consulting (Ref: 221692 P01) was submitted in response to the above concerns. KC Environmental Health comments received 10.08.2026 following review of the new document are as follows:

A Technical Note prepared by BWB Consulting (Ref: 221692 P01) responds to the concerns raised by Environmental Health regarding the Phase 2 Geo-Environmental Assessment.

The note explains that although a third borehole was not completed, the two investigation locations situated at either end of the development area encountered comparable ground conditions and were considered sufficient to support the conceptual site model.

In relation to contamination, the Technical Note states that the limited areas of proposed soft landscaping comprise two new tree pits, the excavation of which would remove any localised PAH/coal tar impacted material, whilst the remainder of the site will be hard surfaced, preventing direct contact with underlying made ground.

The BWB note also addresses the ground gas concerns, advising that the development consists of an open-sided canopy and a naturally ventilated bin store rather than enclosed buildings, and therefore further gas monitoring and gas protection measures are not considered necessary.

BWB concludes that the investigation undertaken is proportionate to the nature of the development and that sufficient information has been provided to demonstrate that unacceptable risks from contamination or ground gases are unlikely to arise.

Comments

In our previous response, we raised concerns regarding the Phase II Intrusive Site Investigation, specifically in relation to the number of exploratory locations, the extent of ground gas monitoring and the assessment of contamination risks associated with areas of proposed soft landscaping. As a result, Environmental Health advised that Condition 22 should not be discharged based on the information originally submitted.

In response, the applicant has submitted a Technical Note prepared by BWB Consulting which provides additional justification for the scope of investigation undertaken and addresses the specific matters raised by Environmental Health.

The note explains that the two completed boreholes were positioned at either end of the development area and encountered comparable ground conditions, providing confidence in the conceptual site model. It further confirms that the limited areas of proposed soft landscaping consist of two new tree pits, the excavation of which would remove any localised contamination identified within made ground.

The remainder of the development area will be hard landscaped, thereby maintaining a physical barrier between site users and underlying materials.

Should any soils require disposal off site an assessment of waste classification of the soils for disposal should be made by a competent person and waste disposed of appropriately.

Regarding risks associated with ground gases, the Technical Note confirms that the proposed development comprises an open-sided canopy and a naturally ventilated bin store and does not introduce enclosed occupied buildings. Whilst it is acknowledged that the gas monitoring dataset is limited, the submitted monitoring records identified no methane and no measurable gas flow during the monitoring period. The consultant therefore concludes that additional gas monitoring and gas protection measures are not required for the proposed form of development.

Having regard to the scale and nature of the proposal, it is considered that the additional information addresses the contamination and ground gas issues relevant to the proposed development. On balance, the level of investigation undertaken is considered proportionate to the risks presented by the development and sufficient information has been provided to demonstrate that unacceptable risks to future users are unlikely to arise.

Recommendations

The submitted Technical Note addresses the matters raised by Environmental Health in our previous response and demonstrates that the proposed development would not give rise to unacceptable risks to human health.

We recommend to approve the discharge of Condition 22 (Phase II Intrusive Site Investigation Report).

This recommendation does not remove the requirement to comply with any remaining contamination related conditions attached to the planning permission, including those relating to imported materials, the management of excavated waste soils and submission of verification information. Environmental Health should be re-consulted when such details are submitted for approval.

Assessment

Following review of the requested details, Officers concur with the comments and assessment made by Environmental Health Officers in that the details provided are sufficient for the requirements of condition 22. Therefore, condition 22 is recommended for approval, albeit with a note regarding Environmental Health's final comments above to inform the applicant.

Officer Recommendation: Approve

Date: 13/08/2026

Recommended Decision notice text

Overview

Please refer to the decision letter dated 22/07/2026 in regard to Condition 11 (Bins) and Condition 15 (BEMP).

Condition 22 (Phase II)

The following details have been submitted:

- HBSC-BWB-XX-XX-T-G-0001-Ph2 – Phase II Intrusive site investigation report
- HBS-BWB-XX-XX-T-G-0012_GDR_P01 (Complete) – Phase II intrusive site investigation report
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- 2026-90441_HuddersfieldBusStation_BWB EH Response
- Technical Note prepared by BWB Consulting (Ref: 221692 P01)

The details therein are acceptable for the purposes of satisfying condition 22 and are hereby approved.

However, please be aware that this recommendation does not remove the requirement to comply with any remaining contamination related conditions attached to the planning permission, including those relating to imported materials, the management of excavated waste soils and submission of verification information.