

**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:	2026/44/91034/W
Site Address:	University of Huddersfield, Queensgate, Huddersfield, HD1 3DH
Description:	Discharge of details reserved by conditions 3, 4, 5, 6 (drainage), 7 (Phase II Site Investigation) on previous permission 2026/90009 for provision of new landscaping scheme on the site of the former faith centre building together with extended delivery area and turning circle and associated works
Recommending Officer:	John Holmes

DECISION – APPROVE DISCHARGE OF CONDITIONS

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 09-Jun-2026

DISCHARGE OF CONDITIONS

The merits of the application have previously been assessed under reference 2026/90009 and permission granted for 'Provision of new landscaping scheme on the site of the former faith centre building together with extended delivery area and turning circle and associated works'.

The applicant is now seeking to discharge conditions 3, 4, 5, 6 and 7.

ASSESSMENT

Conditions 3, 4, 5 & 6

These conditions relate to drainage, specifically stating the following:

3. Development shall not commence until a detailed design scheme detailing foul, surface water and land drainage, including the agreed surface water discharge rate with the LLFA of 12.9l/s indirectly or directly to watercourse, attenuation for the critical 1 in 100 (plus an allowance for climate change) rainfall event, attenuation construction details /design, plans and longitudinal sections, hydraulic calculations and phasing of drainage provision has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a risk assessment and method statement, in accordance with CDM Regulations 2015, for access to and into the attenuation structure, and the scheme shall include a maintenance and management plan for surface water infrastructure. No part of the development shall be brought into use until the approved drainage scheme has been provided and completed to serve the development and retained thereafter.

Reason: *To ensure acceptable drainage arrangements are in place to serve the development to accord with policies LP27 and LP28 of the Kirklees Local Plan and policies within Chapter 14 of the National Planning Policy Framework.*

4. The development shall not commence until an assessment of the effects of 1 in 100 year storm events, with an additional allowance for climate change, blockage scenarios and exceedance events on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area (both upstream and downstream of the development), has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the works comprising the approved scheme have been completed, and such approved scheme shall be retained thereafter.

Reason: *To ensure acceptable drainage arrangements are in place to serve the development to accord with policies LP27 and LP28 of the Kirklees Local Plan and policies within Chapter 14 of the National Planning Policy Framework.*

5. Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation/site strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- phasing of the development and phasing of temporary drainage provision.
- methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.
- a plan showing the location of the attenuation storage and supporting calculations, which shall be based on the critical 1 in 2-year storm. It should be assumed that once the site has been stripped that the percentage run-off will be 100 %. The maximum allowable off-site discharge rate shall not exceed 2.5 litres per second per ha, unless otherwise agreed with the LLFA.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning.

Reason: To ensure acceptable drainage arrangements are in place to serve the construction phase of the development to accord with policies LP27 and LP28 of the Kirklees Local Plan and policies within Chapter 14 of the National Planning Policy Framework.

6. Development shall not commence until a scheme demonstrating that surface water from vehicle parking and hard standing areas shall pass through an oil/petrol interceptor of adequate capacity prior to discharge has been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme shall include details of the oil interceptor to be incorporated as part of the drainage arrangements of the site. The approved scheme shall be implemented and completed prior to the development being brought into use.

Reason: To ensure acceptable drainage arrangements are in place to serve the development to accord with policies LP27 and LP28 of the Kirklees Local Plan and policies within Chapter 14 of the National Planning Policy Framework.

The following has been submitted:

- Flood Risk Assessment & Drainage Strategy (ref: 700342-HEX-XX-XX-T-C-0001revP01) dated 17/12/2025
- Temporary Drainage Plan (mark-up) Part 1, dated 02/04/2026.
- 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26
- Temporary Drainage Plan (mark-up) Part 2, dated 02/04/2026.
- 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26 including additional annotations dated 16/03/2026 received 13th May 2026.

The Lead Local Flood Authority (LLFA), within their initial response received 6th May 2026, stated they did not recommend discharge of conditions 3 and 6, but did support the discharge of conditions 4 and 5.

In relation to condition no.3 they stated that the drainage drawing did not indicate the design parameters of the proposed flow control device (design flow rate, design head, outlet diameter). In addition, they stated that no details of the attenuation tank dimensions/depth were shown together with the means of access into the tank for inspection and maintenance compliant with CDM Regulations together with a Maintenance Plan for the tank & flow control device. They confirmed that the flow control device and tank details needed to be shown to ensure the correct device / tank is installed.

In relation to condition no.6 they advised that the model of the proposed oil separator needed to be provided.

Following on from this, the applicant submitted an updated plan (drawing 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26 including additional annotations dated 16/03/2026 received 13th May 2026).

On the basis of this updated drawing the Lead Local Flood Authority confirmed, in an email dated 13th May, they had no objection to the discharge of conditions 3 & 6 as the required information had now been provided.

Within their initial response of 6th May 2026 they advised the submitted information satisfied the requirements of conditions 4 and 5 and that those conditions could be discharged.

Regard is given to the requirements of the conditions, the details submitted and the response of the LLFA within their 6th May response and subsequent confirmation email of 13th May which was provided in relation to the further submitted information received on the same date.

Taking account of the submitted detail and consultee responses it is concluded that conditions 3, 4, 5 and 6 are satisfied and can be discharged on the basis of the submitted information which is concluded to be acceptable.

Condition 7

Groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: *To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and policies within section 15 of the National Planning Policy Framework. This is a pre commencement condition as intrusive site investigation works may be necessary before work can commencement on the construction of the development hereby approved.*

As part of this application the following has been submitted: -

- Phase 2 Geo Environmental Assessment by EPS dated THE 1st of April 2026, ref: UK26.7777

The Council's Environmental Health Team have been consulted regarding the scheme, who have responded stating the following:

'The reports include geotechnical information, which is outside the remit of Environmental Health. This consultation response therefore only relates to the land contamination aspect of the report.

Fieldworks were undertaken on the 27th of February 2026 and included the following: Four boreholes to depth 3.5m, strata was confirmed to comprise an initial layer of made ground, overlying superficial deposits of clay, sand and gravel, which in turn is underlain by weathered siltstone of the Pennine Lower Coal Measures. During sample collection a Photoionisation Detector (PID) was used to measure the relative concentrations of vapour associated with soil samples collected from different depths and locations at the site. We are informed that PID monitoring did not identify any concentrations of organic vapours above instrument detection levels despite a slight noticeable odour during borehole/sampling.

The soil sampling results are presented; section 5.1.3 indicates risks to future site users were not exceeded for any contaminant at any location. This is based on the current development proposal of landscaped public open space. No remediation is recommended within the report...

... On the basis of the professional judgement of the report author and the evidence and interpretations presented in the Phase 2 Geo Environmental Assessment by EPS dated 1st of April 2026, ref: UK26.7777; Environmental Health have no objection to the discharge of condition 7.'

The submitted scheme demonstrates that no further remediation of the site is required to be undertaken, this approach is considered acceptable by the Environmental Health Team. On the basis of the submitted details, and taking account of the response of the relevant consultee it is considered that condition 7 is satisfied and is recommended to be discharged. In light of the fact further remediation is not identified as being necessary and this is concurred with by the Environmental Health Team it is considered that conditions 8, 9 and 10 are not triggered in this case.

DECISION LETTER TEXT

Condition 3

The following has been submitted:

- Flood Risk Assessment & Drainage Strategy (ref: 700342-HEX-XX-XX-T-C-0001revP01) dated 17/12/2025
- Temporary Drainage Plan (mark-up) Part 1, dated 02/04/2026.

- 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26
- Temporary Drainage Plan (mark-up) Part 2, dated 02/04/2026.
- 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26 including additional annotations dated 16/03/2026 received 13th May 2026.

The submitted scheme is considered acceptable and satisfies the requirements of this condition which is therefore discharged on this basis. It is a requirement of this condition that prior to the development being brought into use the scheme has been provided and completed to serve the development and retained thereafter.

Condition 4

The following has been submitted:

- Flood Risk Assessment & Drainage Strategy (ref: 700342-HEX-XX-XX-T-C-0001revP01) dated 17/12/2025
- Temporary Drainage Plan (mark-up) Part 1, dated 02/04/2026.
- 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26
- Temporary Drainage Plan (mark-up) Part 2, dated 02/04/2026.
- 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26 including additional annotations dated 16/03/2026 received 13th May 2026.

The submitted scheme is considered acceptable and satisfies the requirements of this condition which is therefore discharged on this basis. It is a requirement of this condition that prior to the development being brought into use it has been provided and completed to serve the development and retained thereafter.

Condition 5

The following has been submitted:

- Flood Risk Assessment & Drainage Strategy (ref: 700342-HEX-XX-XX-T-C-0001revP01) dated 17/12/2025
- Temporary Drainage Plan (mark-up) Part 1, dated 02/04/2026.
- 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26
- Temporary Drainage Plan (mark-up) Part 2, dated 02/04/2026.
- 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26 including additional annotations dated 16/03/2026 received 13th May 2026.

The submitted scheme is considered acceptable and satisfies the requirements of this condition which is therefore discharged on this basis. It is a requirement of this condition that no phase of the development be commenced until the temporary works approved for that phase have been completed and that the approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning.

Condition 6

The following has been submitted:

- Flood Risk Assessment & Drainage Strategy (ref: 700342-HEX-XX-XX-T-C-0001revP01) dated 17/12/2025
- Temporary Drainage Plan (mark-up) Part 1, dated 02/04/2026.
- 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26
- Temporary Drainage Plan (mark-up) Part 2, dated 02/04/2026.
- 700324-HEX-XX-XX-D-C-9200, Drainage Plan, Rev P02 dated 19/02/26 including additional annotations dated 16/03/2026 received 13th May 2026.

The submitted scheme is considered acceptable and satisfies the requirements of this condition which is therefore discharged on this basis. It is a requirement of this condition that prior to the development being brought into use it has been provided.

Condition 7:

As part of this application the following has been submitted: -

- Phase 2 Geo Environmental Assessment by EPS dated THE 1st of April 2026, ref: UK26.7777

The submitted assessment satisfies the information requirement of condition no.7 and identifies that further remediation of the site is not required to be undertaken. This is concurred with by the Council's Environmental Health Team. Therefore on the basis of the submitted assessment condition no.7 is satisfied and discharged. Furthermore, condition 8, 9 and 10 are not required to be discharged in light of the fact no further remediation of the site is identified as necessary.