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:	**2026/44/91286/E**
Site Address:	2, Elm Street, Skelmanthorpe, Huddersfield, HD8 9BH
Description:	Discharge of details reserved by conditions 4 (dilapidation survey), 5 (Phase I Desk Study Report), 6 (Phase II Intrusive Site Investigation Report), 7 (Remediation Strategy), 8 (accordance with the Remediation Strategy), 9 (Verification Report), 10 (ecological enhancement measures), 11 (waste collection) and 14 (materials) on previous permission 2025/90583 for erection of rear dormers, raising of roof height and alterations to workshop to form dwelling
Recommending Officer:	Elenya Jackson

DECISION – DISHCHARGE OF CONDITIONS – SPLIT DECISION

I hereby authorise the split decision of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Emma Thompson

AUTHORISED OFFICER

Date: 13-Jul-2026

Officer Report
2026/91286

2, Elm Street, Skelmanthorpe, Huddersfield, HD8 9BH

Discharge of details reserved by conditions 4 (dilapidation survey), 5 (Phase I Desk Study Report), 6 (Phase II Intrusive Site Investigation Report), 7 (Remediation Strategy), 8 (accordance with the Remediation Strategy), 9 (Verification Report), 10 (ecological enhancement measures), 11 (waste collection) and 14 (materials) on previous permission 2025/90583 for erection of rear dormers, raising of roof height and alterations to workshop to form dwelling

Condition 4

Prior to any works commencing on site, a full structural dilapidation survey of the existing retaining wall structures to the south of the site shall be undertaken by a suitably qualified and experienced structural engineer and a copy of the report submitted to the Highway Structures team for review. A further structural dilapidation survey of the retaining wall shall also be required following the completion of the works and any defects arising in the wall due to the works associated with the proposed development shall be made good to the satisfaction of the Council's' Highway Structures team, at the developer's expense.

Condition 5

Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Condition 6

Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition (5) groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

Condition 7

Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 6 further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Condition 8

Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (7). 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.

Condition 9

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 (that part of) 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.

Condition 10

Development shall not commence until a scheme of details for the provision of ecological enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include: • details of the location, both within the site and upon dwelling(s) and one integrated swift box per dwelling; and location and design of access holes for hedgehogs (i.e. “hedgehog holes”) within any fences throughout the site. The details shall be provided for before the dwelling is first occupied and retained thereafter.

Condition 11

Prior to development commencing on the superstructure of the dwelling hereby approved details of bin presentation points and access for collection of wastes from the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

Condition 14

Development shall not commence on the superstructure of the building until a scheme has been submitted to, and approved in writing by, the Local Planning Authority which details all materials of construction. The submitted scheme

shall include all external facings and roofing materials. The dwelling shall be constructed from these materials, which shall thereafter be retained.

Assessment Condition 4

Prior to any works commencing on site, a full structural dilapidation survey of the existing retaining wall structures to the south of the site shall be undertaken by a suitably qualified and experienced structural engineer and a copy of the report submitted to the Highway Structures team for review. A further structural dilapidation survey of the retaining wall shall also be required following the completion of the works and any defects arising in the wall due to the works associated with the proposed development shall be made good to the satisfaction of the Council's' Highway Structures team, at the developer's expense.
The following details have been submitted in support of this application:

- STRUCTURAL CONDITION & DILAPIDATION REPORT DATE: 2nd February 2026 REF: MDL – 12499

The details provided have been reviewed by KC Highway structures and it is considered that the details provided satisfy the first part of the condition pertaining the existing wall structures.

This condition cannot be fully discharged at this time as a further structural dilapidation survey of the retaining wall is also required following the completion of the works and any defects arising in the wall due to the works associated with the proposed development shall be made good to the satisfaction of the Council's' Highway Structures team, at the developer's expense.

Assessment Condition 5

Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

The following documents have been provided in support of the application:

- Phase 1 Environmental Desk Study & Coal Mining Report by RGS (17/03/2026 - C5782/26/E/8985)

The details have been reviewed with KC Environmental Health who have provided the following commentary:

The pCSM appears to disregard the quarry located 20m south of the site that is noted on the historical summary of the site. This should have been identified as a potential source of ground gases.

The Historic Landfill sites located to the northwest and west of the site are not considered as part of the pCSM. These should have been identified as a potential source of ground gases.

Within the list of potentially contaminative sources, RGS identify areas of mining activity waste to the north-east, south-east and south of the site and potential contaminants including metals, hydrocarbons and coal tar being present. These cannot be identified on the historical maps.

The nature of the existing building is unclear and has not been considered in the RGS report and it is considered that, there is the potential for underground and above ground storage tank (VOC risk). We would expect consideration for this in any future Phase II Intrusive Site Investigation.

However, the recommending a Phase II Site Investigation with associated ground gas monitoring.

It is considered that the submitted details suffice for the purpose of condition 5.

Assessment Condition 6

Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

The following documents have been provided in support of the application:

- N/A

No details have been provided in support of condition 6 at this time and therefore the condition cannot be considered satisfied.

Assessment Condition 7

Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 6 further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

The following documents have been provided in support of the application:

- N/A

No details have been provided in support of condition 6 at this tine and therefore the condition cannot be considered satisfied.

Assessment Condition 8

Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition (7). 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.

The following documents have been provided in support of the application:

- N/A

No details have been provided in support of condition 6 at this time and therefore the condition cannot be considered satisfied.

Assessment Condition 9

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 (that part of) 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.

The following documents have been provided in support of the application:

- N/A

No details have been provided in support of condition 6 at this time and therefore the condition cannot be considered satisfied.

Assessment Condition 10

Development shall not commence until a scheme of details for the provision of ecological enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include: • details of the location, both within the site and upon dwelling(s) and one integrated swift box per dwelling; and location and design of access holes for

hedgehogs (i.e. “hedgehog holes”) within any fences throughout the site. The details shall be provided for before the dwelling is first occupied and retained thereafter.

The following documents have been provided in support of the application:

- Site Plan

Officers have consulted with KC Ecology on the application; no details have been provided in support of condition 10 and the boundary treatments on site have not been confirmed nor the location of a swift box. Therefore, condition 10 cannot be considered satisfied and must remain outstanding at this time.

Assessment Condition 11

Prior to development commencing on the superstructure of the dwelling hereby approved details of bin presentation points and access for collection of wastes from the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided before first occupation and shall be so retained thereafter.

The following documents have been provided in support of the application:

- Site plan

Officers have reviewed the details provided and consider they are acceptable for the purpose of condition 11. The presentation points shall be retained in perpetuity.

Assessment Condition 14

Development shall not commence on the superstructure of the building until a scheme has been submitted to, and approved in writing by, the Local Planning Authority which details all materials of construction. The submitted scheme shall include all external facings and roofing materials. The dwelling shall be constructed from these materials, which shall thereafter be retained.

The following documents have been provided in support of the application:

- Materials

The proposed materials show that construction would be anthracite Marley interlocking tiles and all stone and brick would be re-used from existing materials on site.

Officers consider that the area is not uniform in appearance the proposed materials are therefore considered appropriate to discharge condition 14, however the condition requires that the development is completed using the materials and therefore retained in perpetuity.

Decision notice text

Condition 4 (dilapidation report)

The following details have been submitted in support of this application:

- STRUCTURAL CONDITION & DILAPIDATION REPORT DATE: 2nd February 2026 REF: MDL – 12499

The details provided have been reviewed by KC Highway structures and it is considered that the details provided satisfy the first part of the condition pertaining the existing wall structures.

This condition cannot be fully discharged at this time as a further structural dilapidation survey of the retaining wall is also required following the completion of the works and any defects arising in the wall due to the works associated with the proposed development shall be made good to the satisfaction of the Council's' Highway Structures team, at the developer's expense.

Condition 5 (land contamination Phase I)

Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.

The following documents have been provided in support of the application:

- Phase 1 Environmental Desk Study & Coal Mining Report by RGS (17/03/2026 - C5782/26/E/8985)

The details have been reviewed with KC Environmental Health who have provided the following commentary:

The pCSM appears to disregard the quarry located 20m south of the site that is noted on the historical summary of the site. This should have been identified as a potential source of ground gases.

The Historic Landfill sites located to the northwest and west of the site are not considered as part of the pCSM. These should have been identified as a potential source of ground gases.

Within the list of potentially contaminative sources, RGS identify areas of mining activity waste to the north-east, south-east and south of the site and potential contaminants including metals, hydrocarbons and coal tar being present. These cannot be identified on the historical maps.

The nature of the existing building is unclear and has not been considered in the RGS report and it is considered that, there is the potential for underground

and above ground storage tank (VOC risk). We would expect consideration for this in any future Phase II Intrusive Site Investigation.

However, the report concludes by recommending a Phase II Site Investigation with associated ground gas monitoring. This is considered appropriate.

It is considered that the submitted details suffice for the purpose of condition 5.

Condition 6 (Land contamination Phase II)

No details have been provided in support of outstanding matters pertaining to condition 6 and therefore the condition cannot be discharged.

Condition 7 (Remediation)

No details have been provided in support of outstanding matters pertaining to condition 7 at this time and therefore the condition cannot be discharged.

Condition 8 (Remediation in accordance with condition 7)

No details have been provided in support of condition 8 at this time and therefore the condition cannot be discharged.

Condition 9 (Verification report)

No details have been provided in support of condition 9 at this time and therefore the condition cannot be discharged.

Condition 10 (Ecological enhancement)

The following documents have been provided in support of the application:

- Site Plan

Officers have consulted with KC Ecology on the application; no details have been provided in support of condition 10. The boundary treatments on site have not been confirmed nor the location of a swift box. Therefore, condition 10 is not satisfied and cannot be discharged.

Condition 11 (Bin presentation points)

The following documents have been provided in support of outstanding matters pertaining to bin presentation/collection points:

- Site plan

Officers have reviewed the details provided and consider they are acceptable for the purpose of discharging condition 11. The presentation points hereby approved shall be retained in perpetuity.

Condition 14 (materials)

The following documents have been provided in support of the application:

- Materials schedule:
    - Marley modern interlocking tile
    - Stone and brick reclaimed to match

The proposed materials schedule states that the proposed materials would be anthracite Marley interlocking tiles and stone and brick would be reclaimed and re-used from existing materials on site.

Officers consider that as the surrounding area is not uniform in appearance the proposed materials are considered appropriate for discharging condition 14. The condition requires the development to be completed in accordance with the materials schedule and retain thereafter.